



AGENDA

Victor P. Lopez, Mayor

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

Gilbert Garcia, Council Member
Josie Cervantes, Council Member

WEDNESDAY, JULY 22, 2015 - 6:30 P.M.
Orange Cove Council Chambers
633 6th Street, Orange Cove, California 93646

A. Call to Order/Welcome

1. Roll Call
2. Invocation
3. Flag Salute

B. Confirmation of Agenda

C. Presentations

1. Presentation by the Orange Cove Knights of Columbus awarding this Year's scholarship recipients

D. 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.

E. Consent Calendar:

1. Consideration of Resolution No. 2015-37 approving the City's Warrants (037611-037751)

2. City Council Minutes, Meeting of May 27, 2015
3. City Council Minutes, Meeting of June 10, 2015
4. Consideration of Resolution regarding the Recycling Market Development Zone Designation Renewal
5. Consideration of Resolution Awarding Bid to ERS Industrial Services, Inc. for Maintenance Work at the Water Treatment Plant and Authorizing City Manager to sign a Standard Construction Agreement
6. Consideration of Resolution approving the contract between the City of Orange Cove and Fresno Madera Area Agency on Aging (FMAAA) for Fiscal Year 2015-2016

F. Administration

City Engineer:

1. **SUBJECT:** Consideration of a Resolution Accepting Dedication of Right of Way from Orchard Village for Orange Street south of South Avenue

Recommendation: Council to adopt the resolution accepting the dedication of rights of way for public street and utility purposes from Orchard Village 188, LP for the west side of Orange Street south of South Avenue

2. **SUBJECT:** Consideration to award bid for the 2015 "G" Street Reconstruction Project

Recommendation: Council to adopt the attached Resolution approving to award the bid to AJ Excavation, Inc. for the 2015 "G" Street Reconstruction Project and authorize the City Manager to sign the standard construction agreement

3. **SUBJECT:** Consideration and Discussion regarding the Anchor Avenue Reconstruction Project. Change Order No. 1

Recommendation: Council to approve Change Order No. 1 for the Anchor Avenue Reconstruction Project in the amount of \$14,772.00 for the replacement of 349 feet of concrete curb and gutter.

Finance Director:

4. **SUBJECT:** Presentation and discussion regarding the Monthly Financials for May 31, 2015

Recommendation: Informational item only

5. **SUBJECT:** Consideration of Agreement for the Collection of Special Assessments between the City of Orange Cove and the County of Fresno

Recommendation: Council to approve the Agreement for the Collection of Special Assessments between the City of Orange Cove and the County of Fresno

City Manager:

6. **SUBJECT:** Consideration of Resolution regarding Support of the Establishment of a San Joaquin Valley Joint Powers Authority for the purpose of pursuing new water storage facilities

Recommendation: Council to approve the Resolution in support of the Establishment of a San Joaquin Valley Joint Powers Authority for the purpose of pursuing new water storage facilities

7. **SUBJECT:** Consideration and Discussion regarding Solar Energy Management Development and Community Solar Initiative

Recommendation: Council to authorize staff to work with the Solar Energy Management Development and Community Solar Initiative for future Proposal(s)

G. City Manager's Report

H. City Council Communications

I. Closed Session

8. Conference with Labor Negotiators pursuant to Government Code Section 54957.6

Agency designated representatives: Sam Escobar, City Manager

Employee Organization: International Union of Operating Engineers, Local 39

9. Conference with Real Property Negotiators – Government Code Section 54956.8

Property Address: 5.45 acre parcel

700 Feet West of Anchor Avenue, Orange Cove CA

City Negotiator: Sam Escobar, City Manager

Negotiating Parties: AMG

10. Pursuant to Government Code Section 54957

Public Employee Appointment

Title: City Attorney

11. Pursuant to Government Code Section 54957(b) (1):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

- J. Reconvene City Council Meeting**
Report out of closed session

K. 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.

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.

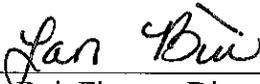
Resolution No. 2015-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS (CITY WARRANTS)

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

SECTION 1: That in accordance with Section 37202 of the Government Code, the Finance Director, or her designated representative, hereby certifies, and the City Manager hereby approves the accuracy of the following demands and to the availability of funds for payment thereof.

EXAMINED



Lan Bui, Finance Director

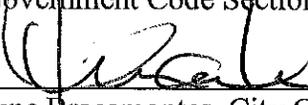
APPROVED



Sam Escobar, City Manager

SECTION 2: That the following claims and demands (037611-037751) attached hereto and incorporated herein by reference, have been audited as required by law and the same are hereby allowed in the amounts hereinafter set forth on the attached.

SECTION 3: That the following claims and demands have been certified pursuant to Government Code Section 37208, and conforming to the City's adopted budget.



June Bracamontes, City Clerk

SECTION 4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

SECTION 5. 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 July 22, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Victor P. Lopez, Mayor

ATTEST:

June Bracamontes, City Clerk

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF ORANGE COVE)

I, JUNE BRACAMONTES, hereby certify that I am the duly appointed City Clerk of the City of Orange Cove and that the foregoing resolution was duly adopted at a regular meeting of the City Council held on the 22nd day of July, 2015.

June Bracamontes
City Clerk



MINUTES

Victor P. Lopez, Mayor

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

Gilbert Garcia, Council Member
Josie Cervantes, Council Member

WEDNESDAY, MAY 27, 2015 - 6:30 P.M.
Orange Cove Council Chambers
633 6th 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
Councilmember Minerva Pineda
Councilman Josie Cervantes

STAFF PRESENT: City Manager Samuel A. Escobar
Attorney Bianca Sparks
Police Chief, Marty Rivera
Finance Director, Land Bui
City Clerk June V. Bracamontes

INVOCATION: Mayor Pro Tem Diana Guerra Silva

FLAG SALUTE: Mayor Victor P. Lopez

B. Confirmation of Agenda

Per City Manager to add under Presentation the Titan Towers 2015

C. Presentation

1. Presentation by Orange Cove High School Principal Angel Carrasco and Gloria Valencia regarding the Titan Towers 2015. Mayor and Council

recognized the 2015 Titan Towers awarding them with a certificate. One Senior was present and Abigale Gomez was recognized and will be attending Fresno State. Council was very honored for their accomplishments.

2. Presentation by Mr. Victor Irzky from Goodwin Consulting Group regarding Measure O Parcel Tax Timeline

Mr. Victor Risky from Goodwin Consulting Group presented to Council the City of Orange Cove's Parcel Tax Administration; Tax Levy Timeline from the period of June 1st to November 2015; the Preliminary Parcel Tax Levy Parcel Zoning, Number of Parcels, Number of Multi Family Units, the Fiscal Year 2015-16 Special Tax and Levy

3. Presentation by Preston Prince, CEO of Fresno Housing Authority, regarding overview of Fresno Housing Programs, Developments and highlights of the partnership with the residents of Orange Cove. Presentation of proclamation from the City of Orange Cove to the Housing Authority

Mr. Jim Petty from Fresno Housing Authority presented the 75th Anniversary Vision; History of the Agency; Structure of the Agency; the Major Housing Programs in Orange Cove and Programs, Projects and Partnership throughout Fresno County.

D. 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.

Ms. Donna Wheeler concern about the animals at the Animal Shelter not being taken care of on weekends. Per City Manager the Animals at the Shelter are being taken care of the kennels are clean and animals are being feed and during the weekends a volunteer employee is present.

E. Consent Calendar

1. Consideration of Resolution No. 2015-24 Approving the City's Warrants (036504-037486)
2. City Council Minutes, Meeting of April 8, 2015

Upon the motion by Mayor Pro Tem Diana Guerra Silva and seconded by Councilwoman Minerva Pineda, the Consent Calendar was approved as presented (Yes Vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

F. Administration

City Engineer:

1. **SUBJECT:** Consideration of a Resolution Approving a Professional Services Agreement for Engineering Services with Krazan and Associates, Inc. for Quality Assurance Materials Testing for the Water Meter Project and the Anchor Avenue Reconstruction Project

Recommendation: Council to adopt the attached Resolution selecting Krazan & Associates, Inc. for the quality assurance materials testing services for the Water Meter Project and the Anchor Avenue Reconstruction Project for an estimated fee of \$20,220.00 and authorize the City Manager to sign the agreements for engineering services.

Upon the motion by Mayor Pro Tem Diana Guerra Silva and seconded by Councilwoman Josie Cervantes, Council to adopt the attached Resolution selecting Krazan & Associates, Inc. for the quality assurance materials testing services for the Water Meter Project and the Anchor Avenue Reconstruction Project for an estimated fee of \$20,220.00 and authorize the City Manager to sign the agreements for engineering services. (Yes Vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

Finance Director:

1. **SUBJECT:** Presentation and Discussion regarding the Begin Program Grant Award

Recommendation: Informational Item Only

Finance Director, Lan Bui presented to Council the BEGIN Program, Grant Award from 11/2006 to 8/2009, extended to 2/2013. The Background information; Challenges; Actions done to correct the BEGIN Program; Bank Reconciliations; Utilities; Financials; CDBG (FY04-05 Grant; Assessment District and the CalHome Grant (FY2013-2016)Grant to expire March 2016

3. **SUBJECT:** Consideration of a professional services agreement with Bryant L. Jolley CPA for audit services for fiscal years 2014-15, 2015-16 and 2016-17 in an amount not to exceed the total contract price of \$91,500.

Recommendation: Council to approve the professional services agreement with Bryant L. Jolley CPA for audit services for fiscal years 2014-15, 2015-16 and 2016-17

Upon the motion by Councilman Gilbert Garcia and seconded by Councilwoman Josie Cervantes, Council approved the the professional services agreement with Bryant L. Jolley CPA for audit services for fiscal years 2014-15, 2015-16 and 2016-17. (Yes Vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

Events Committee

4. **SUBJECT:** Presentation, discussion and direction regarding the Annual Independence Day Celebration on July 2, 2015 located at the Orange Cove Community Center, the fireworks display at the Orange Cove High School and the potential sale of fireworks by the City's Events Committee

Recommendation: Council to approve the request by the Events Committee to hold the Annual Independence Day Celebration on July 2, 2015, the fireworks display at Orange Cove High School, and direction regarding the sale of fireworks by the Events Committee

Upon the motion by Mayor Pro Tem Diana Guerra Silva and seconded by Councilwoman Minerva Pineda, Council approved the request by the Events Committee to hold the Annual Independence Day Celebration on July 2, 2015, the fireworks display at Orange Cove High School, and direction regarding the sale of fireworks by the Events Committee. . (Yes Vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

City Manager:

5. **SUBJECT:** Consideration and Discussion regarding the Sustainable Energy Roadmap (SER) Program presented by Julian Chapa

Recommendation: Council to give staff direction

Mr. Julian Chapa presented to Council the Sustainable Energy Roadmap (SER) Program which brings together a diverse group of key stakeholders to pursue approaches for accelerating local and regional clean energy and sustainable development for common benefit economic, environmental and equity. This is a voluntary program that provides agencies with hots of technical assistance services. City of Parlier, Visalia and Mendota are participants and have approved the Municipal Agreements for the Programs and Recommendation is that the City of Orange Cove consider participating in the SER Program and Authorize Municipal Partner Agreement for SER Program.

By Consensus Council gave direction to the City Manager to sign up.

G. City Manager's Report

City Manager presented the following:

Attended the ICSC Conference in Las Vegas. Met with Rite Aid interested in coming to Orange Cove; networking with other developers very successful.

Public Works working on Potholes and graffiti

Bureau of Reclamation Water contract 1400 acre feet need additional 400 acre feet will be working with USDA

H. City Attorney's Report

Nothing to Report.

I. City Council Communications

Councilman Gilbert Garcia:

Nothing to report.

Councilwoman Josie Cervantes:

Nothing to report.

Councilwoman Minerva Pineda:

Attended the Orange Cove High School Scholarship Awards; the Veterans Memorial; and participated in 4 ride along with the Police Department

Mayor Pro Tem Diana Guerra Silva:

Nothing to report.

Mayor Victor P. Lopez:

Attended the ICSC conference in Las Vegas and very happy with the response from Rite Aid. Orange Cove needs a pharmacy.

Speaker at the Orange Cove Veterans Memorial at Eaton Park thanked the veterans and Mr. Manuel Ferreira.

J. Closed Session:

Council went into closed session at 8:06 p.m.

6. Conference with Labor Negotiators pursuant to Government Code Section 54957.6

Agency designated representatives: Sam Escobar, City Manager; Bianca Sparks,
City Attorney
Employee organization: International Union of Operating Engineers, Local 39

7. Conference with Labor Negotiators pursuant to Government Code Section
54957.6
Agency designated representatives: Sam Escobar, City Manager; Bianca Sparks,
City Attorney
Employee organization: Orange Cove Police Officers Association
8. Conference with Legal Counsel pursuant to Government Code Section
54957(b)(1):Public Employee Performance Evaluation
Title: City Manager

K. Reconvene City Council Meeting:

Mayor Lopez reconvened the City Council meeting at 10:25 p.m.

The City Attorney announced that the City Council met in Closed Session with respect to items J6,7, and 8 with respect to items 6 and 7 direction was giving to Staff and City Attorney's Office with respect to item 8 no action was taken no other matters were discussed nothing further to report.

L. Adjournment

Mayor Lopez adjourned the City Council Meeting at 10:26 p.m.

RESPECTFULLY SUBMITTED:

June V. Bracamontes, City Clerk

PRESENTED TO COUNCIL:

DATE: _____

ACTION: _____



MINUTES

Victor P. Lopez, Mayor

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

Gilbert Garcia, Council Member
Josie Cervantes, Council Member

WEDNESDAY, JUNE 10, 2015 - 6:30 P.M.
Orange Cove Council Chambers
633 6th 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
Councilmember Minerva Pineda
Councilman Josie Cervantes

STAFF PRESENT: City Manager Samuel A. Escobar
Attorney Bianca Sparks
Police Chief, Marty Rivera
Finance Director, Lan Bui
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 remove item #7 under consent calendar

C. Presentation

1. Proclamation Recognizing the Orange Cove High School Varsity Softball Team

Mayor and City Council presented a proclamation recognizing the Orange Cove High School Varsity Softball Team. The team became the Valley Champions and made history for the first time

Mayor and Council thanked the team and commended each player with a certificate.

D. 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.

1. Manuel Ferreira, School Board Member, stated that every gets better, and attended the Middle School promotion. Awards are giving to students with 3.5-4.0. Thanked Council for attending the graduation.
2. Charlotte Pavelco from the Orange Cove Library announced that the Library will be providing the summer reading program beginning Monday June 15, 2015. Tuesdays and Wednesdays are for craft starting at 3pm.
3. Resident of Orange Cove presented to Council that months ago talked to Sylvester regarding the no curb and gutter and ended hurting her foot. Asked to level the land and curb dangerous to walk when there is no sidewalk. Nothing has been done. Located at the corner of 2nd and E. Neighbor has 6 cars parked away from their home and she receives the noise. They park 2 cars in the drive way. Since November complaining. Several cars have been removed by the city.

E. Consent Calendar:

1. City Council Minutes, Meeting of April 22, 2015
2. Consideration of an Agreement between the City and the California Department of Justice for the Smart Justice Program
3. Consideration of an Agreement between the City and Fresno County for Law Enforcement Investigative Services
4. Consideration of an Agreement between the City and the Fresno Housing Authority for Criminal Activity Reporting Services
5. Consideration of Addendum II to Agreement 13-534 between the City and County of Fresno for law enforcement dispatch services

6. Consideration of Addendum No. 2 to the Memorandum of Understanding with the Board of State and Community Corrections for disbursement of funds to local law enforcement for front line law enforcement needs
7. Retail Fireworks License Application from Apostolic Faith Tabernacle #1 and #2 Property located at 1145 Park Blvd. and Lot 5-10 Park Blvd, Orange Cove
8. Consideration of an Agreement between the City and Pyro Spectacular for the City's Independence Day Celebration on July 2, 2015
9. Consideration of a Proclamation of Declaring a Local Emergency in the Matter of the 2015 Drought Conditions
10. Consideration of a Resolution Approving the Agreement with the California Department of Education for the purpose of providing child care and development services and authorize the designated personnel to sign the contract documents for Fiscal Year 2015-2016

Motion by Mayor Pro Tem Silva seconded by Councilwoman Pineda, Council approved the Consent Calendar as presented with item #7 removed from the Consent Calendar. (Yes vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

F. Administration

Police Department:

1. **SUBJECT:** Presentation and discussion by Chief of Police, Marty Rivera regarding monthly statistical report

Recommendation: Informational item only

Chief presented the following:

- SRO Program
- Training for 2 employees Gonzalez and Galaviz. Using Galaviz one day a week for evidence.
- Grants: applied for the Gang Grant with Townsend.
- Meet with MAGIC and Sheriff Mims
- BSCC Grant \$10,000 for cameras. Problem with the lighting.
- Homeland security
- Event this weekend at the community center
- July 2, 2015 Fireworks event
- Presented the Statics report for the month of May 2015.

City Engineer:

2. **SUBJECT:** Consideration of a Resolution Approving the Award of a Construct Contract to AJ Excavation, Inc. for the for Anchor Avenue Reconstruction Project, in the amount of 908,883.40

Recommendation: Council to adopt the Resolution awarding the contract to AJ Excavation, Inc. for the Anchor Avenue Reconstruction Project for the Base Bid Only and authorize the City Manager to sign the standard construction agreement

Motion by Councilwoman Cervantes and seconded by Councilman Garcia, Council to adopt the Resolution awarding the contract to AJ Excavation, Inc. for the Anchor Avenue Reconstruction Project for the Base Bid Only and authorize the City Manager to sign the standard construction agreement.

(Yes vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

3. **SUBJECT:** Consideration of a Resolution Approving the MOU regarding the formation of a Groundwater Sustainability Agency with other interested parties

Recommendation: Council to adopt the Resolution approving the revises MOU regarding the formation of a Groundwater Sustainability Agency with other interested parties.

Motion by Mayor Pro Tem Silva and seconded by Councilwoman Cervantes, Council to adopt the Resolution approving the revises MOU regarding the formation of a Groundwater Sustainability Agency with other interested parties.

(Yes vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

4. **SUBJECT:** Consideration of a Resolution Setting a Public Hearing for the Establishment of an Underground Utility District

Recommendation: Council to adopt a resolution setting a public hearing to establish an Underground Utility District along Anchor Avenue from Park Blvd, to Martinez Street

Motion by Councilman Garcia and seconded by Councilwoman Pineda, Council adopt a resolution setting a public hearing to establish an Underground Utility District along Anchor Avenue from Park Blvd, to Martinez Street. (Yes vote: Mayor Lopez, Silva, Garcia, Pineda and Cervantes)

Finance Director:

5. **SUBJECT:** Presentation of the City's monthly cash and investments summary and fund financials for the month ended April 30, 2015

Recommendation: Informational Item Only

Finance Director, Lan Bui, presented the Monthly cash and Investments Summary and Fund Financials for the Month ended April 30, 2015 as follows:

*General, Sewer and Water Fund Analysis

- *Cash Summary Unaudited
- *Summary of Cash and Investments
- *Breakdown of Operating and Laif Account
- *Balance Sheet for Governmental Funds
- *Revenue, Expenditures and changes for Governmental Funds
- *Statement of Net Position Proprietary Funds
- *Statement of Revenue, Expense, and Changes in Net Position Propriety Funds
- *Non Major Governmental Funds
- *Combining Revenue, Expenditures and Changes in Fund Balance Non Major Governmental Funds

Events Committee:

6. **SUBJECT:** Update report on the Independence Day Celebration on July 2, 2015

Recommendation: Informational Item Only

City Manager Samuel A. Escobar presented that the Independence Day Celebration will take place on July 2, 2015 starting at 5:30pm honoring the veterans and local talent to provide entertainment and the firework show will display at 9pm.

City Manager:

7. **SUBJECT:** Discussion and direction regarding termination of the City's agreement with Valley Small Business Development Corporation for administration of the City's CDBG Business Assistance Loan Program

Recommendation: Council to direct staff to terminate the agreement.

By consensus Council directed staff to send a letter of termination of agreement.

G. City Attorney's Report

Nothing

H. City Manager's Report

City Manager Samuel Escobar presented the following report:

1. Carnival starts June
2. On June 11, 2015 walkable study starting at 5:30 p.m. location to meet will be at the Council Chambers. Council invited to attend

I. City Council Communications

Councilmember Gilbert Garcia:

Nothing to report.

Councilwoman Josie Cervantes:

Nothing to report.

Councilwoman Minerva Pineda:

Attended the High School Graduation

Mayor Pro Tem Diana Guerra Silva:

Attended McCord School 100 year anniversary. Very well attended.

Mayor Victor P. Lopez:

Attended the graduation for middle school at the high school. Thank Chief and staff and Fire Department and Police Department.

J. Closed Session

Closed session at 7:59pm

- 8. Conference with Labor Negotiators pursuant to Government Code Section 54957.6
 Agency designated representatives: Sam Escobar, City Manager; Bianca Sparks, City Attorney
 Employee organization: International Union of Operating Engineers, Local 39

K. Reconvene City Council Meeting

Report out of closed session

Time: 8:29 p.m.

City Attorney reported Council met in Closed Session pertaining to item J8 and gave direction to City Manager and City Attorney nothing else to report nothing else was discussed.

L. Adjournment

Mayor Lopez adjourned the City Council Meeting at 8:30 p.m.

RESPECTFULLY SUBMITTED:

Presented to Council: Date: _____ Action: _____



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

June 5, 2015

Mr. Samuel Escobar
City of Orange Cove
633 Sixth Street
Orange Cove, CA 93646

Dear Mr. Escobar:

RE: Recycling Market Development Zone (RMDZ) Designation Renewal

The purpose of this letter is to inform you that County staff is renewing the County's designation as a Recycling Market Development Zone (RMDZ). During the last twenty years, it has provided development assistance to over 34 businesses/entrepreneurs, including six (6) CalRecycle RMDZ loans totaling over \$4.8 million.

As the Lead Agency, the County has prepared and submitted the re-designation application and completed the required review of the project for potential environmental effects under the California Environmental Quality Act (CEQA). RMDZ renewal guidelines also require that the County and the 15 cities represented by the AB939 MOU Committee adopt Resolutions reauthorizing the designation renewal for the Fresno County RMDZ. Therefore, staff is requesting your assistance by submitting a Resolution from your jurisdiction supporting the re-designation for an additional ten years (2025). A **sample resolution** is attached (Attachment A) for your use in preparing your jurisdiction's Resolution. Please note the following about the sample Resolution:

1. It is provided as a guide and should be adjusted to reflect your jurisdiction's approved Resolution format.
2. CalRecycle requests that a Resolution for RMDZ re-designation include, at a minimum, the following information:
 - The County is the lead agency.
 - The County has been authorized to submit the application on behalf of your jurisdiction.
 - The County is responsible for CEQA compliance.
 - Your jurisdiction is committed to environmental justice.
3. The language regarding environmental justice in the sample Resolution is provided by CalRecycle.

It is staff's goal to present the County's Resolution on August 25, 2015. Staff is required to submit all documentation for the August 25th Board of Supervisors meeting by July 20, 2015. If, **by July 15, 2015**, you are not able to adopt a Resolution or provide a memorandum indicating that this item is on your Council's agenda, please **contact me immediately** so that we can

RMDZ Designation Renewal
June 5, 2015
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receive authorization to allow late submittal of your jurisdiction's Resolution.

If you have any questions regarding the re-designation application process or the requested Resolution, please contact me by email at mslopez@co.fresno.ca.us, or by phone at 559.600.4312 (direct) or 559.600.4259 (main). I look forward to working with you on the re-designation of the Fresno County RMDZ.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sally Lopez', with a long horizontal flourish extending to the right.

Sally Lopez, Principal Staff Analyst
Public Works and Planning
Resources Division

Attachments (2)

SL:mg

G:\4360Resources\Solid Waste Planning - 9015\RMDZ\2015 Redesignation Documents\Letter to Jurisdictions\Reso Request for RMDZ 06.05.15.doc

C: RMDZ Project File
AB939 MOU Committee Delegates
Michael Griffey, Staff Analyst
Interested Parties

RESOLUTION NO. 2015 - 38

A RESOLUTION OF THE CITY OF ORANGE COVE SUPPORTING THE RENEWAL OF FRESNO COUNTY RMDZ AS A RECYCLING MARKET DEVELOPMENT ZONE.

WHEREAS, California Public Resources Code Section 42010, et seq. provide for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State which provides incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, all California jurisdictions must meet a 50% reduction in landfill waste disposal as mandated by the California Integrated Waste Management Act; and

WHEREAS, the *FRESNO COUNTY RMDZ* includes designated areas in *Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, and Selma*; and

WHEREAS, the *FRESNO COUNTY RMDZ* is dedicated to establishing, sustaining and expanding recycling-based manufacturing businesses, which is essential for market development and to assist these jurisdictions in meeting the established landfill waste reduction goals; and

WHEREAS, the designation of *FRESNO COUNTY RMDZ* expired on February 23, 2015; and

WHEREAS, the *CITY OF ORANGE COVE* desires existing and new recycling-based manufacturing businesses located within the *FRESNO COUNTY RMDZ* to be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the renewal of *FRESNO COUNTY RMDZ* as a RMDZ is still necessary to facilitate local and regional planning, coordination, and support existing recycling-based manufacturing businesses, as well as attract private sector recycling investments to the RMDZ; and

WHEREAS, the continued development of local markets for recycled materials would reduce the need to transport them out of the region in the future; and

WHEREAS, the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the California Legislature has defined environmental justice as "the fair adoption, implementation, and enforcement of environmental laws, regulations, and policies" [Government Code section 65040.12(e)], and has directed the California Environmental Protection Agency to conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state [Public Resources Code section 71110(a)]; and

WHEREAS, CalRecycle has adopted a goal to continuously integrate environmental justice concerns into all of its programs and activities; and

WHEREAS, Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, and Selma have agreed to submit an application to CalRecycle requesting renewal as a RMDZ; and

WHEREAS, Fresno County has agreed to act as Lead Agency for the proposed renewal of the RMDZ; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), **Fresno County** has determined that this redesignation is exempt from CEQA; and

WHEREAS, the City of Orange Cove finds there are no grounds for the City of Orange Cove to assume the Lead Agency role or to prepare an environmental document; and

NOW THEREFORE the Orange Cove City Council hereby resolves that:

The Orange Cove City Council, as Responsible Agency, approves the renewal of **FRESNO COUNTY RMDZ** as a RMDZ and directs **THE CHAIRMAN OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO, or his/her designee,** to submit an application to CalRecycle requesting renewal of **FRESNO COUNTY RMDZ** as a RMDZ which includes the City of Orange Cove.

The **Lead Agency** will administer the RMDZ program in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes, including but not limited to soliciting public participation in all communities within the RMDZ, including minority and low income populations.

RESOLVED, APPROVED AND ADOPTED by the Orange Cove City Council on this 22nd day of July by the following vote:

AYES:

NOES:

ABSENT

ABSTAINING:

Victor P. Lopez, Mayor

ATTEST:

June Bracamontes, City Clerk



For the Meeting of: July 22, 2015

CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council
From: Gary D. Horn, City Engineer
Subject: Award of bid for Maintenance Work at the Water Treatment Plant
Attachments: Resolution

RECOMMENDATION:

We recommend that the Council adopt the attached resolution awarding the bid for repair work on Filter No. 1 of Plant A at the Water Treatment Plant in the amount of \$6,544.73 and authorize the City Manager to sign a standard construction agreement.

EXECUTIVE SUMMARY:

The surface wash mechanism broke on Filter 1 at Plant A and must be repaired. Two bids were received and the low bid is from ERS Industrial Services, Inc. for \$6,544.73.

BACKGROUND:

The City utilizes a rapid sand filter for the water treatment plant. The surface wash mechanism on Filter 1 of Plant A broke off and needs to be repaired. The repair will involve the removal and reinstallation of a portion of the filter sand. ERS Industrial Services submitted the low bid of \$6,544.73 and TNT Industrial Contractors, Inc. submitted a bid of \$16,689.00. The reason for the discrepancy between the bids is that ERS is capable of reusing the sand, whereas TNT must replace the sand at an additional cost.

REASON FOR RECOMMENDATION:

ERS has worked at the Water Treatment Plant before and is a reputable contractor

Prepared by: _____

Approved by:  _____

REVIEW: City Manager: SE

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: _____

FISCAL IMPACT:

The Water Fund will pay for the repair work.

ALTERNATIVES:

None. The filter must be repaired.

ACTIONS FOLLOWING APPROVAL:

The agreement will be signed and work will commence.

CONFLICT OF INTEREST:

None.

RESOLUTION NO. 2015-43

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,
AWARDING THE CONTRACT FOR THE REPAIR OF FILTER 1 OF PLANT A AT THE
WATER TREATMENT PLANT TO ERS INDUSTRIAL SERVICES, INC.

WHEREAS, informal bids were solicited from qualified contractors to perform repair work on Filter 1 of Plant A at the Water Treatment Plant; and

WHEREAS, the project will consist of the repair of the surface wash mechanism for Filter 1; and

WHEREAS, the following bids were received for the work:

| | |
|----------------------------------|-------------|
| ERS Industrial Services, Inc. | \$6,544.73 |
| TNT Industrial Contractors, Inc. | \$16,689.00 |

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. ERS Industrial Services, Inc. is the lowest responsible bidder for the project.
3. Upon recommendation of the City Engineer, the bid for the Repair of Filter 1 of Plant A at the Water Treatment Plant is hereby awarded to ERS Industrial Services, Inc. in the amount of Six Thousand Five Hundred Forty-four Dollars and Seventy-three Cents (\$6,544.73) and the City manager is hereby authorized to execute the agreement with ERS Industrial Services, Inc. to perform the project.
4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
5. 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 July 22, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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 Accepting Dedication of Right of Way from Orchard Village for Orange Street south of South Avenue

Attachments: Resolution

RECOMMENDATION:

We recommend that the Council adopt the attached resolution accepting the dedication of rights of way for public street and utility purposes from Orchard Village 188, LP for the west side of Orange Street south of South Avenue.

EXECUTIVE SUMMARY:

One of the Conditions of Approval for Site Plan Review 2014-07 required the owner, Orchard Village 188, LP, to dedicate the west half of Orange Street from South Avenue to the south end of their project. The street was constructed years ago, but the right of way was not dedicated. They have signed the deed and now the City Council must accept the right of way on behalf of the public in order for the deed to be recorded.

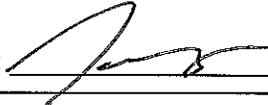
BACKGROUND:

The right of way for Orange Street was shown on a parcel map of a portion of the site and labeled as "Proposed 30 ft. wide road easement for the purpose of ingress and egress." However, the right of way was not formally dedicated as a public street nor accepted by the City. Therefore, this Deed of Easement is needed to formalize the right of the public to use the area as a city street.

REASON FOR RECOMMENDATION:

The City Council must accept the rights of way in order for the deed to be recorded.

Prepared by: GH

Approved by: 

REVIEW: City Manager: SE

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: _____

FISCAL IMPACT: None.

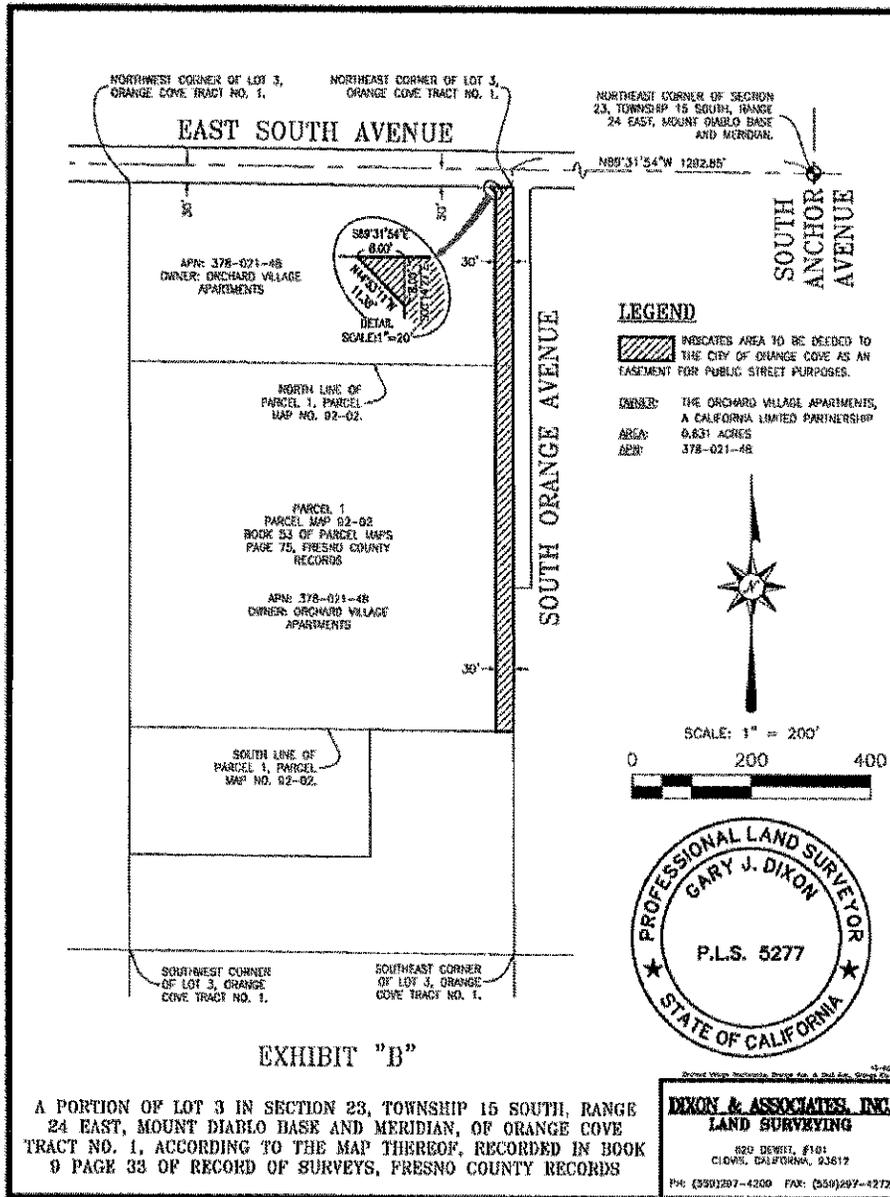
ALTERNATIVES: None.

ACTIONS FOLLOWING APPROVAL:

The City Clerk will affix a certificate to the deed indicating the Council's acceptance of the right of way on behalf of the public and the deed will be recorded with the County Recorder.

CONFLICT OF INTEREST:

None.



RESOLUTION NO. 2015-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ACCEPTING DEDICATION OF RIGHT OF WAY FOR THE WEST SIDE OF ORANGE STREET SOUTH OF SOUTH AVENUE FROM ORCHARD VILLAGE 188, LP

WHEREAS, Orchard Village 188, LP has made an irrevocable offer of dedication for public street purposes real property lying in the northeast quarter of Section 23, Township 15 South, Range 24 East, Mount Diablo Base and Meridian as shown in attached Exhibit "A"; and

WHEREAS, the public necessity requires the dedication of public street right of way for Orange Street south of South Avenue to provide for a public street; and

WHEREAS, pursuant to Government Code Section 7050, the City Council may accept the irrevocable offer of dedication of real property for a public purpose.

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. The City Council hereby accepts on behalf of the public for public street and utility purposes the parcel offered for dedication by Orchard Village 188, LP as described in Exhibit "A" attached hereto, and incorporated herein by reference.
3. The City Clerk is directed to affix a certificate to the Deed of Easement attesting to the adoption of this resolution and record the deed with the Fresno County Recorder.
4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
5. 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 July 22, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Victor P. Lopez, Mayor

ATTEST:

June Bracamontes, City Clerk

EXHIBIT "A"

**Legal Description
South Orange Avenue**

That portion of the Northeast quarter of Section 23, Township 15 South, Range 24 East, Mount Diablo Base and Meridian, in the City of Orange Cove, County of Fresno, State of California, described as follows:

The East 30.00 feet of Lot 3 in said Section 23 of the Map of Orange Cove Tract No. 1, recorded June 26, 1913, in Book 9 of Record of Surveys at Page 33, Fresno County Records.

EXCEPTING THEREFROM that portion thereof lying South of the South line of Parcel 1 of Parcel Map No. 92-02, recorded December 3, 1992, in Book 53 of Parcel Maps at Page 75, Fresno County Records.

TOGETHER WITH that portion of said Lot 3 described as follows:

BEGINNING at a point on the North line of said Lot 3, said point being North 89°31'54" West, a distance of 30.00 feet from the Northeast corner of said Lot 3;

Thence South 00°14'27" East, parallel with and 30.00 feet West of the East line of said Lot 3, a distance of 8.00 feet;

Thence North 44°53'11" West, a distance of 11.38 feet to the North line of said Lot 3;

Thence South 89°31'54" East, along the North line of said Lot 3, a distance of 8.00 feet to the POINT OF BEGINNING.

Containing 0.631 acres, more or less.

The bids received are as follows:

| <u>Contractor</u> | <u>Bid</u> |
|------------------------------|--------------|
| A J Excavation, Inc. | \$556,295.80 |
| Don Berry Construction, Inc. | \$609,636.00 |
| Emmett's Excavation, Inc. | \$624,960.36 |
| American Paving Co. | \$660,689.60 |
| Bush Engineering | \$737,349.00 |
| Mac General Engineering | \$751,314.00 |

The Engineer's Estimate was \$559,688.60.

REASON FOR RECOMMENDATION:

A J Excavation, Inc. submitted the lowest responsive bid and they are a responsible contractor.

FISCAL IMPACT:

This project will be paid for by Measure C and TDA funds.

ALTERNATIVES:

An alternate would be to reject all bids and not proceed with the project.

ACTIONS FOLLOWING APPROVAL:

If the Council awards the bid, the construction agreement will be signed and construction should start shortly.

CONFLICT OF INTEREST:

None.

RESOLUTION NO. 2015-42

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,
AWARDING THE CONTRACT TO AJ EXCAVATION, INC. FOR THE 2015 G STREET
RECONSTRUCITON PROJECT

WHEREAS, the Invitation to Bid for the 2015 G Street Reconstruction Project was advertised in the Reedley Exponent on June 25, 2015; and

WHEREAS, the project will consist of the installation of handicap ramps and new asphalt paving in G Street from Ninth Street to Anchor Avenue in the City of Orange Cove; and

WHEREAS, the following bids for the project were publicly opened and read aloud at the Orange Cove City Hall on July 14, 2015 at 3 pm:

| <u>Contractor</u> | <u>Bid</u> |
|------------------------------|--------------|
| A J Excavation, Inc. | \$556,295.80 |
| Don Berry Construction, Inc. | \$609,636.00 |
| Emmett's Excavation, Inc. | \$624,960.36 |
| American Paving Co. | \$660,689.60 |
| Bush Engineering | \$737,349.00 |
| Mac General Engineering | \$751,314.00 |

WHEREAS, the City Engineer's estimate was \$559,688.60 for the 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. AJ Excavation, Inc. is the lowest responsible bidder for the project.
3. Upon the recommendation of the City Engineer, the bid for the 2015 G Street Reconstruction Project is hereby awarded to AJ Excavation, Inc. in the amount of Five Hundred Fifth-six Thousand Two Hundred Ninety-five Dollars and Eighty Cents (\$556,295.80) and the City Manager is hereby authorized to execute the agreement with AJ Excavation, Inc. to perform the project.

4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

5. 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 July 22, 2015, by the following vote:

AYES:

NOES:

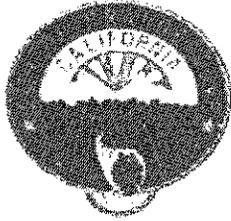
ABSENT:

ABSTAIN:

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: Anchor Avenue Reconstruction Project, Change Order No. 1
Attachments: Map

RECOMMENDATION:

Council approve Change Order No. 1 for the Anchor Avenue Reconstruction Project in the amount of \$14,772.00 for the replacement of 349 feet of concrete curb and gutter.

EXECUTIVE SUMMARY:

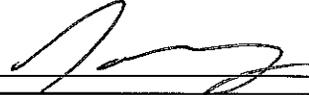
The bid for the Anchor Avenue Reconstruction Project was structured with a Base Bid and Additive Alternate. The Add. Alternate was for the replacement of 349 feet of existing concrete curb and gutter that had deteriorated. AJ Excavation submitted a bid of \$30,960 for the Add. Alternate. Council did not accept the Add. Alternate bid and directed Staff to negotiate a lower price for that work. A J Excavation has offered to complete the work for \$14,772.00. We recommend that the Council approve a change order to include that work in the project.

BACKGROUND:

A J Excavation was the low bidder for the Anchor Avenue Reconstruction Project as determined by the Base Bid. The limits of the project are from Park Boulevard to Adams Avenue. The bid also included an Add. Alternate which the City may or may not award. The Add. Alternate for this project was to replace the existing concrete curb and gutter from Park Boulevard to about 350 feet north of Park Boulevard, as shown on the attached exhibit. A J Excavation's bid for the Add. Alternate was \$30,960 while the bids from the other contractors ranged from about \$10,000 to \$18,000.

The Council accepted the Base Bid, but did not award the Add. Alternate and instructed Staff to negotiate a possible reduction in A J Excavation's price to that work. They have submitted a

Prepared by: _____

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: _____

proposal to do the Add. Alternate work for \$14,772.00. We believe this is a fair price for the work based on the range of other bids.

REASON FOR RECOMMENDATION:

The curb and gutter is deteriorated and needs to be replaced. The price for the new curb and gutter matches the unit price bid for the other curb and gutter in the Base Bid for the project. The reduced price amounts to a savings of \$16,188 compared to the original Add. Alternate bid.

FISCAL IMPACT:

The total cost of the project will increase by \$14,772, but is still well within the project budget.

ALTERNATIVES:

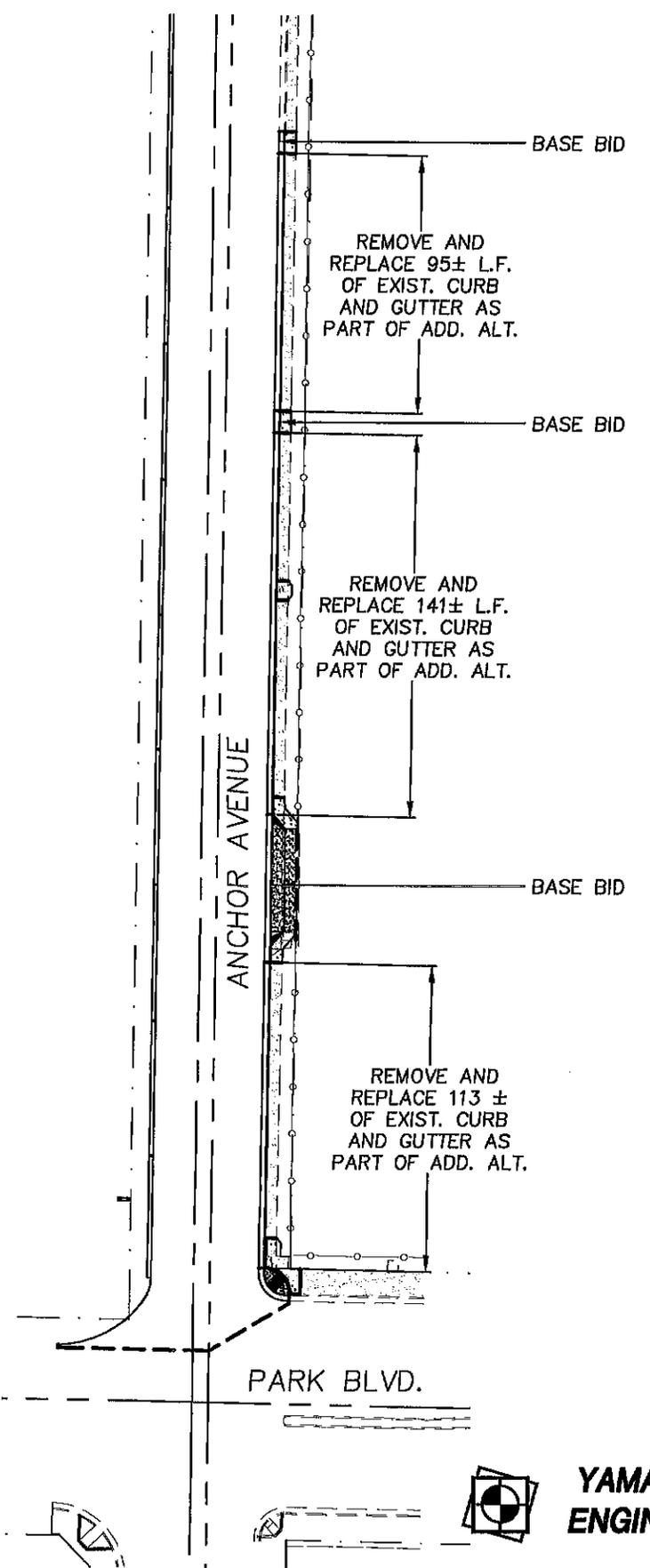
Council may reject the request for a change order and leave the existing curb and gutter in place.

ACTIONS FOLLOWING APPROVAL:

The City Manager will sign a change order and the replacement of the curb and gutter will be included in the project.

CONFLICT OF INTEREST:

None.



BASE BID

REMOVE AND REPLACE 95± L.F. OF EXIST. CURB AND GUTTER AS PART OF ADD. ALT.

BASE BID

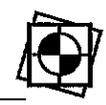
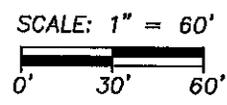
REMOVE AND REPLACE 141± L.F. OF EXIST. CURB AND GUTTER AS PART OF ADD. ALT.

BASE BID

REMOVE AND REPLACE 113 ± OF EXIST. CURB AND GUTTER AS PART OF ADD. ALT.

ANCHOR AVENUE

PARK BLVD.



**YAMABE & HORN
ENGINEERING, INC.**

2985 N. BURL AVENUE
SUITE 101
FRESNO, CA 93727

TEL (559) 244-3123
FAX (559) 244-3120

Memo

To: June Bracamontes, City Clerk; Clara Camarena, Deputy City Clerk

From: Lan Bui, Finance Director

cc: Sam Escobar, City Manager; Phyllis Mendez, Senior Accountant

Date: July 9, 2015

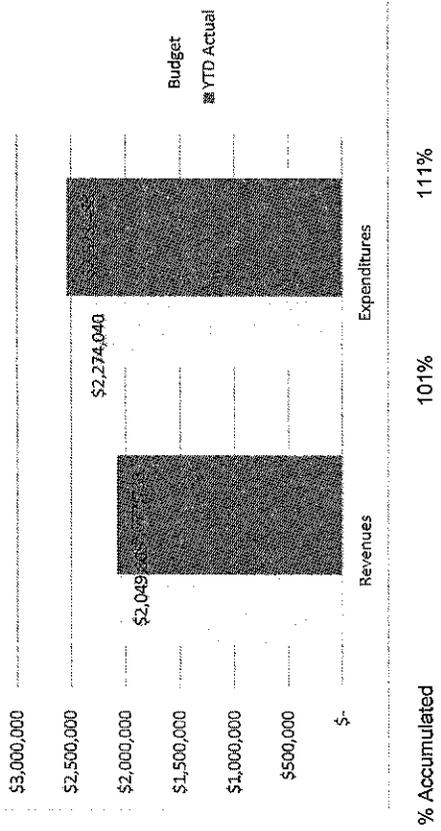
Re: Monthly Financials for May 31, 2015

Please put the following items on the agenda for the upcoming Wednesday night Council Meeting on July 22, 2015 as information item only:

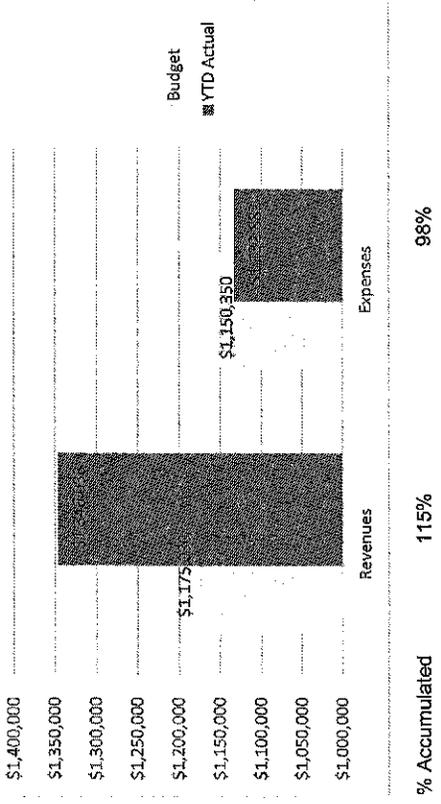
Presentation of the City's monthly cash and investments summary and fund financials for the month ended May 31, 2015.

CITY OF ORANGE COVE
 OVERVIEW SNAPSHOT
 MAY 31, 2015

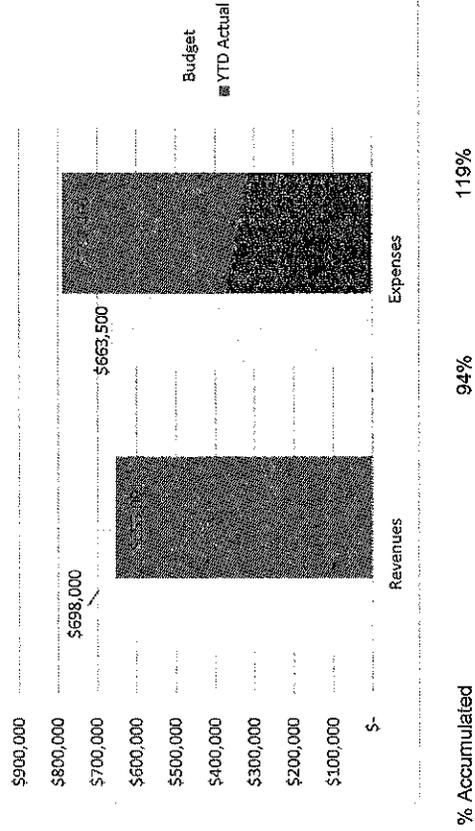
General Fund Analysis



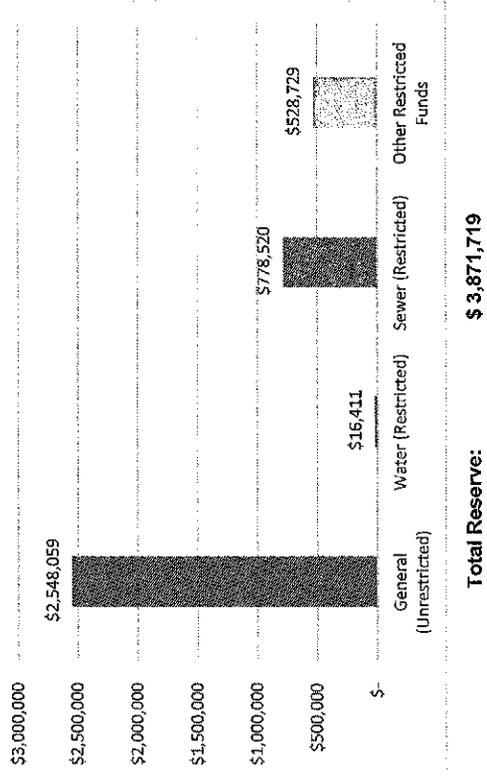
Water Fund Analysis



Sewer Fund Analysis



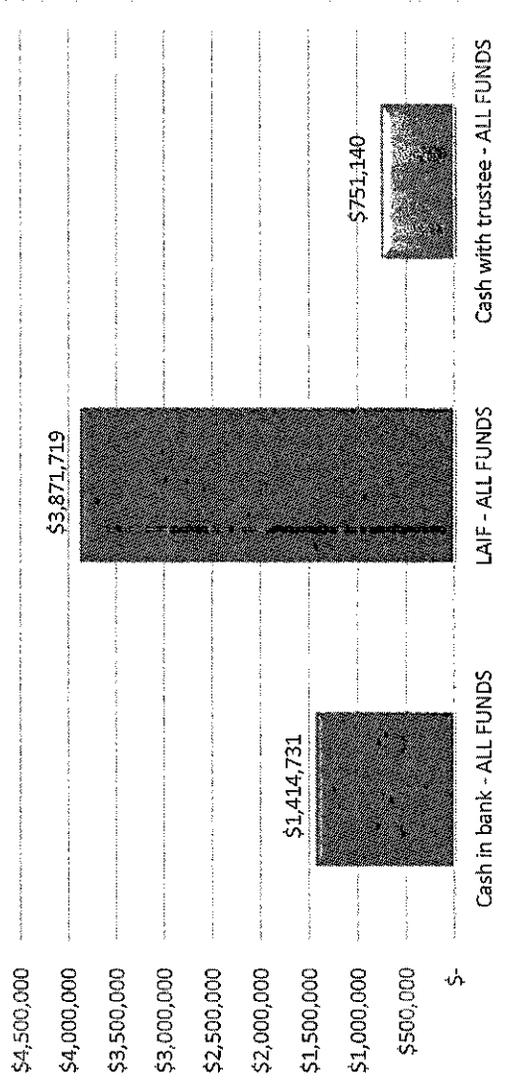
Reserve Breakdown



**CITY OF ORANGE COVE
CASH SUMMARY
(UNAUDITED)
May 31, 2015**

| | | |
|-------------------------------|---------------------|---|
| Cash in bank - ALL FUNDS | \$ 1,414,731 | 23% Cash account used for our day-to-day operations |
| LAIF - ALL FUNDS | \$ 3,871,719 | 64% City's only investment account |
| Cash with trustee - ALL FUNDS | \$ 751,140 | 12% Cash with fiscal agent used for restricted purposes |
| | <u>\$ 6,037,591</u> | 100% |
| Restricted | \$ 3,548,719 | 59% |
| Unrestricted | \$ 2,488,872 | 41% |
| | <u>\$ 6,037,591</u> | 100% |

Summary of Cash & Investments



**CITY OF ORANGE COVE
SUMMARY OF CASH AND INVESTMENTS
(UNAUDITED)
May 31, 2015**

| | Per GL | | Per Bank | (Short)/Over |
|---|---------------------|---------------------|---------------------|---------------------|
| | Restricted | Unrestricted | | |
| Accounts: | | | | |
| Operating Cash Account (Pooled) | \$ 1,421,531 | \$ (94,238) | \$ 1,211,209 | \$ (94,238) |
| Investment Account -LAIF (Pooled) | 1,323,660 | 2,548,059 | 3,871,719 | - |
| USDA | 52,387 | - | 52,387 | - |
| Money Market Account (General Fund) | - | 35,050 | 35,050 | - |
| Total Cash and Investments | 2,797,578 | 2,488,872 | 5,286,450 | |
| Accounts held with trustee: | | | | |
| 1995 Water Bonds (Water Fund) | 28,726 | - | 28,726 | - |
| 2004 Tax Allocation Bond (Successor Agency) | 722,414 | - | 722,414 | - |
| Total cash with fiscal agent | 751,140 | - | 751,140 | |
| GRAND TOTAL | \$ 3,548,719 | \$ 2,488,872 | \$ 6,037,591 | \$ 5,921,505 |

¹ See page 3 for breakdown of cash by major funds

² See page 4 for the breakdown of pooled investments by major fund

³ Unspent bond proceeds

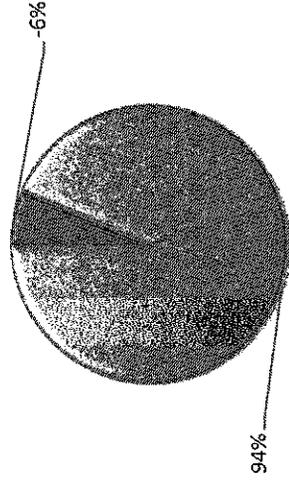
⁴ Restricted for debt service payments on 1995 Bonds

**CITY OF ORANGE COVE
 BREAKDOWN OF OPERATING ACCOUNT
 (UNAUDITED)
 May 31, 2015**

Operating Cash Account (Pooled):

| | | |
|--------------------------|----------------------------|--|
| General | \$ (94,238) | |
| Local Transportation | 654,081 | |
| Low Mod | 66,244 | |
| Housing | 5,037 | |
| Daycare | 90,055 | |
| Water | (557,191) | |
| Sewer | 660,773 | |
| Disposal | 63,366 | |
| Other governmental funds | <u>439,167</u> | |
| Total | \$ <u>1,327,294</u> | |
| Unrestricted | \$ (94,238) | |
| Restricted | <u>1,421,531</u> | |
| | \$ <u>1,327,294</u> | |

**Operating Cash
 Restricted vs. Unrestricted**

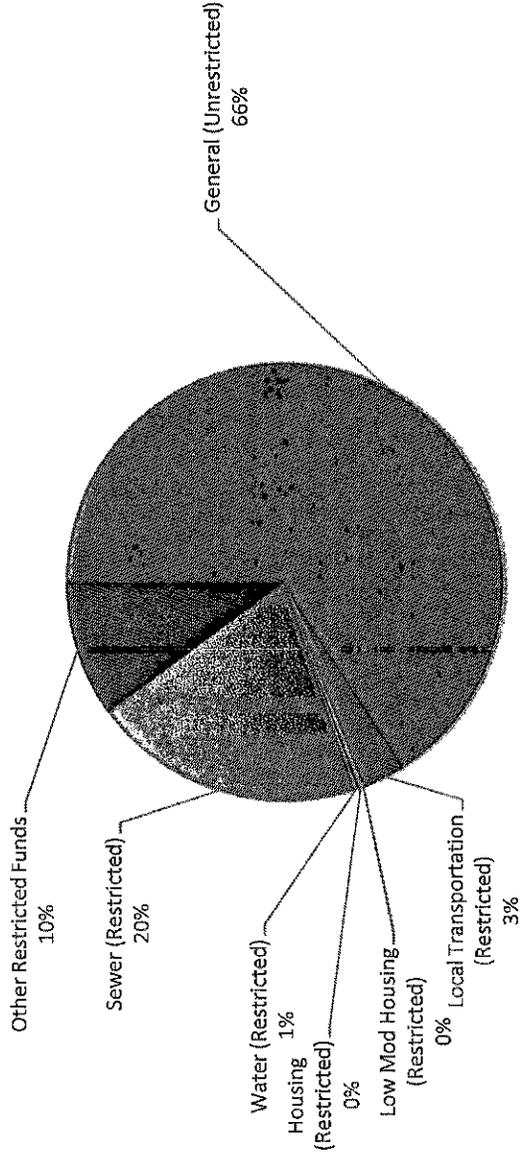


■ Unrestricted ■ Restricted

**CITY OF ORANGE COVE
BREAKDOWN OF LAIF ACCOUNT
(UNAUDITED)
May 31, 2015**

| | | |
|-----------------------------------|---------------------|------|
| General (Unrestricted) | \$ 2,548,059 | 66% |
| Local Transportation (Restricted) | 127,287 | 3% |
| Low Mod Housing (Restricted) | 4,695 | 0% |
| Housing (Restricted) | 8,719 | 0% |
| Water (Restricted) | 16,411 | 0% |
| Sewer (Restricted) | 778,520 | 20% |
| Other Restricted Funds | <u>388,029</u> | 10% |
| | <u>\$ 3,871,719</u> | 100% |

LAIF Breakdown by Fund



**BALANCE SHEET - GOVERNMENTAL FUNDS
MAY 31, 2015**

| | General | Local Transportation | Low-Moderate Housing Asset | Housing Grant | Day Care | Other Governmental Funds | Total Governmental Funds |
|--|---------------------|----------------------|----------------------------|---------------------|------------------|--------------------------|--------------------------|
| ASSETS | | | | | | | |
| Cash and investments | \$ 2,490,343 | \$ 781,368 | \$ 70,939 | \$ (109,500) | \$ 90,085 | \$ 884,487 | \$ 4,207,722 |
| Accounts receivable | (33) | - | - | - | - | - | (33) |
| Interest receivable | - | - | 136,487 | 39,600 | - | - | 176,087 |
| Due from other governments | - | - | - | - | - | 324,741 | 324,741 |
| Due from other funds | - | - | - | - | - | - | - |
| Notes receivable | - | - | 275,000 | 1,582,677 | - | 27,593 | 1,885,270 |
| Land held for resale | 376,000 | - | - | - | - | 599,986 | 975,986 |
| Total assets | <u>\$ 2,866,310</u> | <u>\$ 781,368</u> | <u>\$ 482,426</u> | <u>\$ 1,512,777</u> | <u>\$ 90,085</u> | <u>\$ 1,836,807</u> | <u>\$ 7,569,773</u> |
| LIABILITIES | | | | | | | |
| Accounts payable and accrued expenses | \$ 2,260 | \$ 463 | \$ - | \$ - | \$ - | \$ 0 | \$ 2,723 |
| Due to other funds | - | - | - | - | - | - | - |
| Unearned revenues | - | - | - | - | 47,189 | - | 47,189 |
| Total liabilities | <u>2,260</u> | <u>463</u> | <u>-</u> | <u>-</u> | <u>47,189</u> | <u>0</u> | <u>49,912</u> |
| DEFERRED INFLOWS OF RESOURCES | | | | | | | |
| Unavailable revenues | - | - | 411,487 | 1,622,277 | - | - | 2,033,764 |
| Total deferred inflows of resources | <u>-</u> | <u>-</u> | <u>411,487</u> | <u>1,622,277</u> | <u>-</u> | <u>-</u> | <u>2,033,764</u> |
| FUND BALANCE | | | | | | | |
| Nonspendable: | | | | | | | |
| Notes receivables | - | - | - | - | - | 27,593 | 27,593 |
| Land held for resale | 376,000 | - | - | - | - | 599,986 | 975,986 |
| Restricted: | | | | | | | |
| Low-income housing activities | - | - | 70,939 | (109,500) | - | - | (38,561) |
| Circulation improvements | - | 780,906 | - | - | - | 522,737 | 1,303,643 |
| Capital improvement projects | - | - | - | - | - | 433,194 | 433,194 |
| Debt service | - | - | - | - | - | 351,674 | 351,674 |
| Unassigned | 2,488,050 | - | - | - | 42,896 | (98,378) | 2,432,568 |
| Total fund balance | <u>2,864,050</u> | <u>780,906</u> | <u>70,939</u> | <u>(109,500)</u> | <u>42,896</u> | <u>1,836,805</u> | <u>5,486,096</u> |
| Total liabilities, deferred inflows of resources, and fund balance | <u>\$ 2,866,310</u> | <u>\$ 781,369</u> | <u>\$ 482,426</u> | <u>\$ 1,512,777</u> | <u>\$ 90,084</u> | <u>\$ 1,836,806</u> | <u>\$ 7,569,772</u> |

**CITY OF ORANGE COVE
STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE- GOVERNMENTAL FUNDS
FOR THE MONTH ENDED MAY 31, 2015**

| | General | Local Transportation | Low-Moderate Housing Asset | Housing Grant | Daycare | Other Governmental Funds | Total Governmental Funds |
|---------------------------------------|------------------|-------------------------|----------------------------------|------------------|----------------|--------------------------------|--------------------------------|
| Revenues | | | | | | | |
| Taxes | \$ 1,316,905 | \$ - | \$ - | \$ - | \$ - | \$ 135,215 | \$ 1,452,120 |
| Intergovernmental | 223,277 | 204,321 | - | 45,932 | 958,397 | 1,168,172 | 2,600,099 |
| Charges for service | 95,020 | - | - | - | - | - | 95,020 |
| Licenses, permits and impact fees | 140,345 | - | - | - | - | 24,008 | 164,353 |
| Interest and rent | 59,272 | 248 | 9 | 5,017 | 30 | 2,297 | 66,872 |
| Other | 151,397 | - | - | - | - | - | 151,397 |
| Total revenues | 1,986,217 | 204,569 | 9 | 50,949 | 958,427 | 1,329,692 | 4,529,862 |
| Expenditures | | | | | | | |
| Current: | | | | | | | |
| General government | 353,946 | - | - | - | - | - | 353,946 |
| Public safety | 1,632,603 | - | - | - | - | - | 1,632,603 |
| Public works | 143,659 | - | - | - | - | - | 143,659 |
| Streets | - | 80,007 | - | - | - | 1,075,047 | 1,155,054 |
| Planning and development | 86,972 | - | 18,504 | 162,997 | - | 34,286 | 302,759 |
| Parks and recreation | 211,646 | - | - | - | - | - | 211,646 |
| Day care | - | - | - | - | 915,531 | - | 915,531 |
| Capital outlay | 99,663 | - | - | - | - | - | 99,663 |
| Debt service: | | | | | | | |
| Principal | - | - | - | - | - | 58,363 | 58,363 |
| Interest and other charges | - | - | - | - | - | 72,008 | 72,008 |
| Total expenditures | 2,528,488 | 80,007 | 18,504 | 162,997 | 915,531 | 1,239,704 | 4,945,231 |
| Revenue over/(under) expenditures | (542,271) | 124,562 | (18,495) | (112,048) | 42,896 | 89,987 | (415,369) |
| Other Financing Sources/(Uses) | | | | | | | |
| Transfers in/(out) - net | 91,516 | - | - | (3,766) | - | - | 87,749 |
| Total other financing sources/(uses) | 91,516 | - | - | (3,766) | - | - | 87,749 |
| Change in Fund Balance | (450,756) | 124,562 | (18,495) | (115,814) | 42,896 | 89,987 | (327,619) |
| Fund Balance | | | | | | | |
| Beginning of year | 3,314,806 | 656,344 | 89,433 | 6,314 | - | 1,725,580 | 5,792,478 |
| End of year | \$ 2,864,050 | \$ 780,906 | \$ 70,939 | \$ (109,500) | \$ 42,896 | \$ 1,815,567 | \$ 5,464,858 |

30 **Section 4. Compensation**

31 The Agency shall pay, and the County shall receive, payment as provided in Exhibit 1, including
32 allowable costs of the County, as provided in Exhibit 3, for the services rendered under this
33 agreement, except that in any case the total amount paid by the Agency for the collection of
34 any assessment shall not exceed one-fourth of one percent (0.25%) of all money collected.

35 **Section 5. Method of Payment**

36 Beginning fiscal year 2015–2016, the Agency will reimburse the County for all costs incurred in
37 performing the services described in Exhibit 1. The County’s Auditor-Controller/Treasurer-Tax
38 Collector is authorized to deduct those costs from apportionments to the Agency and retain
39 them as compensation for services rendered under this agreement. The County will itemize all
40 costs incurred, deducted, and retained and will provide that itemization to the Agency with the
41 remittance advice for the apportionment.

42 **Section 6. Records**

43 The County shall maintain complete and accurate records with respect to costs incurred under
44 this Agreement. All such records shall be maintained on a generally-accepted accounting basis
45 and shall be clearly identified and readily accessible. The County shall provide to the authorized
46 representatives of the Agency free access to such books and records at all proper times, and
47 the right to audit the same, and to make transcripts therefrom as necessary, and to allow
48 inspection of all work, data, documents, proceedings, and activities related to the performance
49 of this agreement for a period of three (3) years from the date of final payment for work
50 performed under this agreement. In addition to the above accounting records, the County shall
51 maintain records to show actual time and allowable costs submitted for reimbursement with
52 respect to the scope of services set forth herein.

53
54 **Section 7. Changes to the Agreement**

55 This Agreement may not be modified except in writing signed by both parties.

56 **Section 8. Term**

57 This Agreement is effective on the date first written above through June 30, 2016, and renews
58 automatically for each fiscal year (July 1 through June 30) after unless either party gives written
59 notice of nonrenewal no later than June 1.

60 **Section 9. Termination**

61 Either party may terminate this Agreement without cause at any time by giving written notice
62 of such termination to the other party and specifying an effective date of termination that is
63 not less than 30 days after the notice is given. If the agreement is terminated as provided in this
64 Section 9, the County shall be reimbursed its allowable costs in accordance with Section 4 of
65 this Agreement through the date of termination.

66 **Section 10. Representations and Warranties**

67 The Agency represents and warrants that the taxes, fees, or assessments that it levies, and that
68 the County collects under this agreement, comply with all requirements of state law, including
69 but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218). The
70 Agency also agrees to reaffirm in writing the validity of the taxes, fees, or assessments each
71 time it requests services under Section 2 of this agreement.

72 **Section 11. Release**

73 The Agency hereby releases and forever discharges the County and its officers, agents, and
74 employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of
75 action, and judgments, in any manner arising from the Agency's responsibility under this
76 Agreement, or other action taken by the Agency in establishing any assessment, and
77 implementing the collection of such assessments as contemplated in this Agreement.

78

79 **Section 11.5. Insurance**

80 Without limiting the County's right to obtain indemnification from the Agency or any third
81 parties, the Agency, at its sole expense, shall maintain in full force and effect, the following
82 insurance policies or a program of self-insurance, including but not limited to, an insurance
83 pooling arrangement or Joint Powers Agreement (JPA) throughout the term of the Agreement:

84 b. Commercial General Liability

85 Commercial General Liability Insurance with limits of not less than One Million Dollars
86 (\$1,000,000) per occurrence and an annual aggregate of Two Million Dollars (\$2,000,000). This
87 policy shall be issued on a per occurrence basis. County may require specific coverages
88 including completed operations, products liability, contractual liability, Explosion-Collapse-
89 Underground, fire legal liability or any other liability insurance deemed necessary because of
90 the nature of this Agreement.

91 c. Automobile Liability

92 Comprehensive Automobile Liability Insurance with limits for bodily injury of not less than Two Hundred
93 Fifty Thousand Dollars (\$250,000.00) per person, Five Hundred Thousand Dollars (\$500,000.00) per
94 accident and for property damages of not less than Fifty Thousand Dollars (\$50,000.00), or such
95 coverage with a combined single limit of Five Hundred Thousand Dollars (\$500,000.00). Coverage
96 should include owned and non-owned vehicles used in connection with this Agreement.

97 d. Professional Liability

98 If the Agency employs licensed professional staff, (e.g., Ph.D., R.N., L.C.S.W., M.F.C.C.) in providing
99 services, Professional Liability Insurance with limits of not less than One Million Dollars (\$1,000,000.00)
100 per occurrence, Three Million Dollars (\$3,000,000.00) annual aggregate.

101 A. Worker's Compensation

102 A policy of Worker's Compensation insurance as may be required by the California Labor Code.

103 The Agency shall obtain endorsements to the Commercial General Liability insurance naming the County
104 of Fresno, its officers, agents, and employees, individually and collectively, as additional insured, but
105 only insofar as the operations under this Agreement are concerned. Such coverage for additional
106 insured shall apply as primary insurance and any other insurance, or self insurance, maintained by
107 County, its officers, agents and employees shall be excess only and not contributing with insurance
108 provided under the Agency's policies herein. This insurance shall not be cancelled or changed without a
109 minimum of thirty (30) days advance written notice given to County.

110 Within Thirty (30) days from the date the Agency signs and executes this Agreement, the Agency shall
111 provide certificates of insurance and endorsement as stated above for all of the foregoing policies, as
112 required herein, to the County of Fresno, (Name and Address of the official who will administer this
113 contract), stating that such insurance coverage have been obtained and are in full force; that the County
114 of Fresno, its officers, agents and employees will not be responsible for any premiums on the policies;
115 that such Commercial General Liability insurance names the County of Fresno, its officers, agents and
116 employees, individually and collectively, as additional insured, but only insofar as the operations under
117 this Agreement are concerned; that such coverage for additional insured shall apply as primary
118 insurance and any other insurance, or self-insurance, maintained by County, its officers, agents and
119 employees, shall be excess only and not contributing with insurance provided under the Agency's
120 policies herein; and that this insurance shall not be cancelled or changed without a minimum of thirty
121 (30) days advance, written notice given to County.

122 In the event the Agency fails to keep in effect at all times insurance coverage as herein provided, the
123 County may, in addition to other remedies it may have, suspend or terminate this Agreement upon the
124 occurrence of such event. All policies shall be issued by admitted insurers licensed to do business in the
125 State of California, and such insurance shall be purchased from companies possessing a current A.M.
126 Best, Inc. rating of A FSC VII or better.

127

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129 **Section 12. Hold Harmless**

130 The Agency shall defend the County and hold the County harmless from all liability, claims, or damages
131 incurred as a result of any action taken by the Agency in establishing any tax, fee, or assessment, and
132 implementing the collection of such taxes, fees, or assessments as contemplated in this Agreement.

133 **Section 13. Severability**

134 If any term or provision of this Agreement or the application thereof to any person or circumstance
135 shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and
136 solely to, the extent necessary to cure such invalidity or unenforceability, and in its amended form shall
137 be enforceable. In such event, the remainder of this Agreement, or the application of such term or
138 provision to persons or circumstances other than those as to which it is held invalid or unenforceable,
139 shall not be affected thereby, and each term and provision of this Agreement shall be valid and be
140 enforced to the fullest extent permitted by law.

141 **Section 14. Governing Law**

142 This Agreement shall be governed and construed in accordance with the laws of the State of California
143 without regard to principles of conflicts of laws.

144 **Section 15. Counterparts**

145 This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but
146 all of which taken together shall constitute one and the same instrument.

147 **Section 16. Authority**

148 Each person executing this Agreement hereby represents and warrants (i) their authority to do so, and
149 (ii) that such authority has been duly and validly conferred.

150

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154 **The parties are signing this agreement on the date first written above.**

155 CITY OF ORANGE COVE

COUNTY OF FRESNO

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By: _____
Victor Lopez, Mayor

By: _____
Chair
Board of Supervisors

ATTEST:
BERNICE SEIDEL, CLERK
BOARD OF SUPERVISORS

By: _____

REVIEWED & RECOMMENDED FOR
APPROVAL:

Auditor-Controller/Treasurer-
Tax Collector

APPROVED AS TO ACCOUNTING
FORM:

VICKI CROW, C.P.A.
AUDITOR-CONTROLLER/
TREASURER-TAX COLLECTOR

By: _____

APPROVED AS TO LEGAL FORM
DANIEL C. CEDERBORG
COUNTY COUNSEL

By: _____

EXHIBIT 1

188 **GENERAL SCOPE OF SERVICES**

189

190 The Auditor-Controller/Treasurer-Tax Collector's duties include fiscal functions, which services
191 include, but are not limited to:

192 1. Enrolling the assessment by parcel on the property tax bills, billing the taxpayers, the
193 collection process, roll changes as needed by parcel, apportionment of the collected
194 assessment to the Agency and reporting and maintaining records of all financial transactions for
195 the assessment process by parcel.

196 2. Separately accounting for the Agency funds and maintaining records of expenditures,
197 revenues and investments in accordance with administrative code requirements and state and
198 federal regulations.
199

200 The Auditor-Controller/Treasurer-Tax Collector will be reimbursed for costs incurred for
201 services provided including but not limited to the following:

202

203 Assessment enrollment to Property Tax System \$0.17 per parcel
204

205

206

207 Roll Changes as needed and approved by
208 the Agency \$18.59 per parcel
209

210 Accounting/Apportionment/Administration Actual Staff hourly rates on MSF,
211 and as provided in Exhibit 3
212

213 Accounting, Legal and Administration costs are based on the current Master Schedule of Fees
214 (MSF) approved by County of Fresno Board of Supervisors. Relevant portions of the MSF as of
215 the date this agreement is signed are shown on Exhibit 2 for the Auditor-Controller/Treasurer-
216 Tax-Collector and County Counsel. The MSF is revised annually and the revised rates apply to
217 this agreement. Billing for Accounting/Apportionment/Administration items would only be

218 applicable for additional work that is requested by the Agency in addition to the normal
219 assessment enrollment, collection fee and roll change duties.

220

221

222

DUTIES OF AGENCY

223

224 The Agency by August 10th or other agreed upon date each year:

225

226 1. The statutory authority for the assessment; and

227 A resolution passed by the Agency's governing board specifying parcels and rate(s) or amount
228 to be charged and a list of authorized personnel that may make changes/corrections to
229 assessments during or after fiscal year of enrollment. The Agency needs to record the
230 resolution in the Fresno County Recorder's office before submitting it to the County Auditor.

231 The Agency shall comply with all other administrative instructions provided by the County
232 Auditor each year.

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Exhibit 2

MASTER SCHEDULE OF FEES, CHARGES, AND RECOVERED COSTS

SECTION 300 -- AUDITOR-CONTROLLER/TREASURER

| FEE DESCRIPTION | FEE AMOUNT | FEE SETTING AUTHORITY | YEAR ADOPTED | EFFECTIVE DATE | % OF COST | REFERENCE |
|--|------------------------------|-----------------------|--------------|----------------|-----------|-------------|
| 301. Accounting Services | | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNT CLERK I | 47.85/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNT CLERK II | 50.39/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNT CLERK III | 59.25/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNT CLERK III - CONF | 60.34/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNTANT I | 65.32/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNTANT II | 72.70/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNTING AND FINANCIAL DIVISION CHIEF | 106.63/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNTING AND FINANCIAL MANAGER | 102.90/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ADMINISTRATIVE SECRETARY - CONF | 50.67/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| COLLECTION REP I | 38.93/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| COLLECTION REP II | 38.50/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| COLLECTION REP III | 61.13/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| COLLECTION REP SUPERVISOR | 64.03/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| TAX COLLECTIONS SUPERVISOR | 74.66/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| DEPUTY AUDITOR CONTROLLER | 106.79/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| DEPUTY TREASURER TAX COLLECTOR | 108.79/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| INFORMATION TECH. ANALYST I | 50.93/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| INFORMATION TECH. ANALYST III | 88.61/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| INFORMATION TECH. ANALYST IV | 101.41/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| INVESTMENT OFFICER | 97.00/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| PAYROLL TECH I - CONF | 59.52/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| PAYROLL TECH II - CONF | 69.73/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| SENIOR ACCOUNTANT | 87.98/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| SUPERVISING ACCOUNT CLERK II | 72.71/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| SUPERVISING ACCOUNTANT | 90.25/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| SYSTEMS & PROCEDURES ANALYST III | 65.79/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| SYSTEMS & PROCEDURES MANAGER | 96.61/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| PROGRAM TECHNICIAN II | 43.16/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| ACCOUNTING INTERN | 21.28/hr | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 302. Unsecured Delinquent Tax Fee | \$173.00 each | Board of Supervisors | 2015-16 | 06/08/13 | 100% | Ord # |
| 303. W-2 Replacement Copies | \$11.00 each | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 304. Paycheck Stub Replacement Copies | \$11.00 each | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 305. 1099 Replacement Copies | \$13.00 each | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 306. Cost Per Parcel: Assessments | \$0.17 each | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 307. Roll Corrections/Changes/Refunds: Assessments | \$18.58 each | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 308. Hard Copy of Tax Rate Book | \$46.24 each | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 309. 1915 Act Bond Debt Services | \$1.73 per APN | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 310. Ten Percent Administrative Fee For Restitution Fines | | Board of Supervisors | 2007-08 | 08/08/08 | 100% | Ord #07-022 |
| 311. Deposit Via Admin | \$40.00 per deposit | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 312. Deposit-Via Treasury Tax | \$30.00 per Treasury deposit | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 313. Travel AP Voucher | \$10.00 per travel voucher | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 314. Contract AP Voucher | \$7.00 per contract voucher | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |
| 315. Other Pay & PO AP Voucher | \$5.00 per other AP voucher | Board of Supervisors | 2015-16 | 07/01/15 | 100% | Ord # |

SECTION 600 – COUNTY COUNSEL

| FEE DESCRIPTION | FEE AMOUNT | FEE SETTING AUTHORITY | YEAR ADOPTED | EFFECTIVE DATE | % OF COST | REFERENCE |
|--------------------|------------|-----------------------|--------------|----------------|-----------|--------------|
| 601.LEGAL SERVICES | \$122/hour | Board of Supervisors | 2015-16 | 7/6/15 | 100% | Ord. #15-011 |

Charged to other public agencies and County departments with third party payer funds.

244

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246 **EXHIBIT 3**

247 **ALLOWABLE COSTS FOR THE COUNTY**

248 **A. Direct Costs**

249 **1. Personnel**

250 Direct costs for personnel are based on actual salary and benefits paid to personnel, or based
251 on the hourly charge shown in the County's Master Schedule of Fees, Charges and Costs
252 Recovered, if applicable, for actual time spent on the work necessary to fulfill the terms of this
253 agreement. Time shall be recorded on the time sheets regularly used by the County in carrying
254 out its ordinary work apart from this agreement. No additional or special forms for recording
255 hours spent on the tasks specified in this agreement are required.

256 **2. Travel Expenses and Subsistence**

257 Where travel expenses and subsistence are directly related to the performance of this
258 agreement, they are included in direct costs. Mileage for trips within the Fresno-Clovis
259 Metropolitan area may be reimbursed, but are covered under Section 4.B. of this agreement,
260 "Indirect Costs (Overhead)." Out-of-area transportation costs shall not exceed the cost of travel
261 by the most direct and economical mode. Reimbursement for transportation by private
262 automobile shall be at the rate ordinarily charged by the County in lieu of actual costs.
263 Reimbursement for lodging and meals shall be based on the actual cost incurred by the
264 County's personnel, to not exceed the limitations applied by the County.

265 **3. Other Direct Costs**

266 Other direct costs include the costs of other material and services as may be required under
267 this agreement, but which are not normally provided as part of the overhead of County at cost.
268 Such other materials and services may include, but are not limited to, the following: report
269 reproduction, purchase of maps and charts, telephone expense, and specialized educational
270 needs.

271 **B. Indirect Costs (Overhead)**

272 Indirect costs are calculated under Federal OMB Circular A-87.

RESOLUTION NO. 2015-39
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE
IN SUPPORT OF THE ESTABLISHMENT
OF A SAN JOAQUIN VALLEY JOINT POWERS AUTHORITY
FOR THE PURPOSE OF PURSUING NEW WATER STORAGE FACILITIES

WHEREAS, available, reliable and sustainable water supplies represent the single most important elements in supporting and sustaining the region's people, communities, social structure, agriculture, commerce and economy; and

WHEREAS, the City of Orange Cove, located within the County of Fresno, is among the economically disadvantaged San Joaquin Valley communities being most adversely affected by water availability as a result of severe drought conditions and regulatory curtailments on water supplies; and

WHEREAS, the City of Orange Cove's entire supply of water utilized for agricultural, municipal and industrial purposes by the City of Orange Cove, its residents and businesses is limited to what can be obtained from Millerton Lake and the Friant-Kern Canal, storage and conveyance facilities within the U.S. Bureau of Reclamation's Central Valley Project and Friant Division; and

WHEREAS, insufficient surface water storage capacity exists within Millerton Lake and elsewhere in California to ensure availability and reliability of Central Valley Project water to the City of Orange Cove and San Joaquin Valley in years of extraordinary drought, such as is now being experienced; and

WHEREAS, water conveyed from the San Joaquin River and Millerton Lake, along with many other reservoirs and rivers within Northern and Central California, are of overwhelming importance to the economic, social and cultural well-being of the City of Orange Cove and much of the San Joaquin Valley; and

WHEREAS, the City of Orange Cove is a rapidly growing city of with a population nearing 10,000 residents, with expectations that the City will have even greater demands and needs for safe and reliable supplies of water in the future; and

WHEREAS, the City of Orange Cove is within the San Joaquin Valley, a region rich in resources and important to California's heritage, economy, environment and identity as well as one of the most productive agricultural regions in the world but one that depends virtually entirely on irrigation because of insufficient natural rainfall; and

WHEREAS, a local emergency has been declared in the County of Fresno by the Board of Supervisors as a result of a crippling water shortage disaster, one which has severely impaired public health and public safety, creating conditions of extreme peril to the safety of persons and property, as a result of statewide drought and regulatory conditions; and

WHEREAS, said drought conditions have prompted the Governor of California to proclaim a statewide emergency; and the Congress of the United States and the Legislature of the State of California have declared that California's water supply and conveyance are in crisis; and

WHEREAS regional and local agencies have been encouraged to form joint powers agencies to identify water storage opportunities and pursue and develop projects to improve and ensure water supply availability, reliability and sustainability; and

WHEREAS, the City Council of the City of Orange Cove has determined that a critical need exists for development of additional water storage, conveyance and related facilities to meet needs of growing population in the City of Orange Cove and San Joaquin Valley, including business, industry, agriculture and related services; as well as the region's environmental resources; and that the City Council believes a unified local and regional approach to working with federal and state agencies would be most effective; and

WHEREAS, it is known that there is potential for development of several major reservoirs, including the proposed enlargement of Lake Shasta on the Sacramento River and development of Temperance Flat Reservoir on the San Joaquin River, as well as numerous other water management, conservation, conveyance and related projects that could provide numerous benefits to the City of Orange Cove and the San Joaquin Valley; and

WHEREAS, the people of the State of California, through enactment by voters of Proposition 1 in November 2014, have authorized \$7.5 billion in general obligation bonds, including \$2.7 billion directed for development of water storage, to improve California's beneficial water resources.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Orange Cove declares its intent to participate with other San Joaquin Valley agencies in establishing an independent special agency organized through a joint powers agreement authorized by existing laws of the State of California to be a proponent and facilitator in designing and securing funding, and acquiring, constructing, managing and governing projected water storage projects and related facilities, such as but not limited to the proposed enlargement of Lake Shasta on the Sacramento River and development of Temperance Flat Reservoir on the San Joaquin River; and

BE IT FURTHER RESOLVED that said joint powers agency be intended to seek and develop improvements to water supply and delivery systems within the San Joaquin Valley and State of California in ways that advance co-equal objectives of improving water supply availability and reliability as well as water management; and

BE IT FURTHER RESOLVED that said joint powers agreement be framed in such a way that the joint powers agency have power to pursue and implement these missions and purposes; and

BE IT FURTHER RESOLVED that said agency be authorized to perform any and all acts necessary for the exercise of joint powers, including hiring staff, making and entering into contracts, performing all

appropriate and necessary studies, conducting engineering and permitting, contracting for professional consulting services, applying for and accepting any type of permits and licenses, accepting grants or seeking or agreeing to other funding sources from any federal, state or local public agency, and making assessments upon its member agencies to fund operations; and

BE IT FURTHER RESOLVED that said joint powers agency be structured in such a fashion to be able to incur debts, liabilities and fiscal obligations; and

BE IT FURTHER RESOLVED that the City Manager and City Attorney of the City of Orange Cove be directed to participate in the development and filing with the State of California of required joint power agency documentation and initial operating budget estimates that the City of Orange Cove and other prospective joint powers agency members shall review.

BE IT FURTHER RESOLVED that the provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

BE IT FURTHER RESOLVED 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 July 22, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Victor P. Lopez, Mayor

ATTEST:

June Bracamontes, City Clerk

STAFF INFORMATION MEMORANDUM

DATE: July 22, 2015

TO: Mayor and City of Orange Cove City Council Members

SUBJECT: Consider Direction from Orange Cove City Council RE Interest in Solar Energy Management Development and Discussion of Community Solar Initiative

RECOMMENDATION:

That the Orange Cove City Council Authorize Staff to work with Solar Development Proposal(s) for Future Presentation and Negotiation with City of Orange Cove.

Background:

The City of Orange Cove has been approached by several Energy Management Companies and Developers regarding energy management strategies to support the community needs.

Sustainable Communities and Renewable Energy strategies is now a large Public Policy issue facing the State of California. The City of Orange Cove is already addressing this issue by working with various state and regional agencies to reduce energy usage and utilize financing opportunities to reduce costs and invest in equipment upgrades to achieve the above State Goals. The City Manager's office and Public Works staff has been very aggressive on trying to capitalize on specific funding for Orange Cove to address this with examples such as improvements at the City Waste Water Treatment Plant and City Office facilities.

Public Mandates from the Governor's office and specific legislative bills such as SB 43 (State Senator Kevin De Leon) have been approved to force agencies such as the CPUC and energy service companies such as PG & E to comply with legislative mandate law. Orange Cove now also qualifies for prospect opportunities for new CAP and TRADE funding; and just as importantly for public private partnerships to encourage private dollar investment to 1) Promote local needs and 2) Work with private developers to achieve common strategies including Renewable Energy Solar Development.

The purpose to this Agenda Item is to discuss with the City about the possibility of Solar Renewable Energy. Orange Cove has land and the community of Orange Cove has needs. Consideration of Action by the Orange Cove City Council authorizes the City Administration to actively work on development of a proposal for future consideration

of a solar renewable energy development plan that fits the needs of the City and residents of Orange Cove.

The goals of this effort are to pursue approaches for accelerating local and regional clean energy and sustainable development for common benefit – economic, environmental and equity.

Fiscal Impact:

No fiscal impact is expected or out of pocket costs for the City of Orange Cove. Any Developer will bear all costs for evaluation, feasibility and development of prospect project(s).