



AGENDA

Victor P. Lopez, Mayor

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

Gilbert Garcia, Council Member
Josie Cervantes, Council Member

WEDNESDAY, FEBRUARY 24, 2016 - 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. Consent Calendar

1. Resolution approving City Warrants for December 2015 and January 2016
2. City Council Minutes of January 27, 2016
3. Resolution accepting bid from Yanez Construction for the Replacement of Flooring and Wall Covering at the Julia A. Lopez Child Development Center Restrooms
4. Emergency Sedimentation Basin Sludge Collector Repair approving invoice by W.M. Lyles Co.

D. Administration

1. **SUBJECT:** Presentation by Townsend Public Affairs, Inc.

Recommendation:

- a) Update report on grants - informational item only
- b) Council to consider approving the agreement between the City of Orange Cove and Townsend Public Affairs, Inc. for consulting services

2. **SUBJECT:** Consideration and Discussion regarding reduction of Development Impact Fees for conversion of Laundry Room to Security Living Unit at Orchard Village Apartments.

Recommendation: Council to consider approving resolution waiving the Development Impact Fees for the conversion of the Laundry Room to a Security Living Unit at the Orchard Village Apartments located at the southwest corner of South Avenue and Orange Street.

3. **SUBJECT:** Public Hearing to discuss possible applications for funding under the next fiscal year program (July 1- June30) of the State Community Development Block Grant (CDBG) Program and to solicit citizen input on possible activities to be included in the application.

Recommendation: Council to consider citizens input on possible activities to be included in the State Community Development Block Grant (CDBG) Program.

4. **SUBJECT:** Consideration and Discussion pertaining the authorization to the City Manager to purchase cleaning supplies for the floor at the Community Center.

Recommendation: Council to consider approving purchasing and not to exceed \$10,000 of floor cleaning supplies at the Community Center.

E. Public Forum

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

F. City Manager's Report

G. City Attorney's Report

H. City Council Communications

I. 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. 2016-09

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:

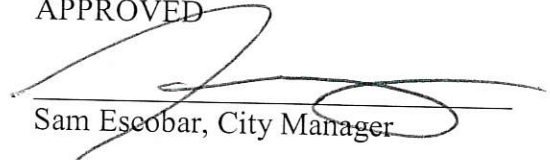
SECTION 1: That in accordance with Section 37202 of the Government Code, the Finance Director, or her designated representative, hereby certifies, and the City Manager hereby approves the accuracy of the following demands and to the availability of funds for payment thereof.

EXAMINED



Carlos Sanchez
Interim Finance Director

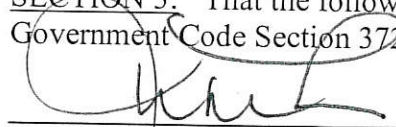
APPROVED



Sam Escobar, City Manager

SECTION 2: That the following claims and demands (December 2015 Warrant Numbers 038230-038630 and January 2016 Warrant Numbers 038497-038807) 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 February 24, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

June Bracamontes, City Clerk



MINUTES

Joint Meeting of City Council and Successor Agency to the Redevelopment Agency of the City of Orange Cove

Victor P. Lopez, Mayor

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

Gilbert Garcia, Council Member
Josie Cervantes, Council Member

WEDNESDAY, JANUARY 27, 2016 - 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
City Attorney, Dan McCloskey
Police Chief, Marty Rivera
City Clerk June V. Bracamontes

INVOCATION: Mayor Pro Tem Diana Guerra Silva

FLAG SALUTE: Mayor Victor P. Lopez

B. Confirmation of Agenda

No change.

C. Presentations

1. Presentation by Mayor and City Council recognizing Horacio Aleman from Cruising for Jesus

Council presented a recognition plaque to Mr. Horacio Aleman and thanked him for his many years of service to the City of Orange Cove.

2. Presentation by Fresno State update report on the Farmers Market and Economic Development

Mr. Ismael Huerra from Fresno State presented the following items to Council:

- Partnership with Orange Cove
- Strategic Economic Development Plan
- Working with small local businesses and the Area Chamber of Commerce
- Providing training to local businesses and adopt technology
- Started a Buy Local Campaign to attract additional traffic. Working on Signage.
- In 2016 will be working with staff and members of chambers developing a Farmers Market working with Mr. Ferreira and Mr. Pardo.
- First day of the Farmers Market day is May 26, 2016. Developing a logo for the farmers market. In a process putting the policy together to make sure in compliance.

Mr. Manuel Ferreira presented to Council that he use to take care of the farmers market 5 years ago now only assisting. With all the help should have a great Farmers Market. Vendors are a lot of good help. Chamber of Commerce is a big part of it and will be part of it.

Mr. Ralph Pardo presented to Council that this has been a great support from city and staff could always use more. Fresno State always supportive.

D. Consent Calendar

1. Resolution approving a Donation to the Orange Cove High School Varsity Softball Team in the amount of \$3,000 to purchase Valley Championship rings
2. Resolution authorizing submittal of application for Payment Program and Related Authorizations for the Beverage Container Recycling Program

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

E. Administration

POLICE CHIEF:

1. **SUBJECT:** Discussion and Consideration regarding the Policies and Procedures for the Orange Cove Citizens on Patrol

Recommendation: Council to consider approving a Resolution regarding the Policies and Procedures for the Orange Cove Citizens on Patrol

Council discussed and supports the Policies and Procedures for the Orange Cove Citizens on Patrol. Chief will be in charge to make sure all rules are followed.

Irene Alvarado presented her concern regarding 2016-05 regarding the Orange Cove Police Department Citizens on Patrol Policy and Procedure Manual. Her concerns are as follows:

- The Orange Cove Citizens on Patrol volunteer organization been in existence since 2007.
- The City cannot create another Orange Cove Citizens on Patrol because organization exists and would infringe upon the civil rights of its members
- On December 28, 2015 City Manager bypassed the organization Board by aiming to shut down the OC Citizens on Patrol
- Orange Cove Citizens on Patrol is a legitimate volunteer organization with sworn Board and Members by the Fresno County Sheriff's Office and by the Orange Cove Police Department.
- The Orange Cove Citizens on Patrol has a clean record being the liaison between the OC Police Dept. and our community.

Ms. Alvarado is requesting to revise Resolution No. 2016-05 to declare that the City of Orange Cove acknowledges and supports the existing Orange Cove Citizens on Patrol volunteer organization and will partner to improve public safety within its jurisdiction.

City Attorney stated that the Sheriff's Office is not within the jurisdiction. The best business practice is to have a policy. Volunteers have to work under law enforcement under the city now not the Sheriffs. No Civil rights were violated.

Mayor supports staff, city attorney and city manager in directed council in the right direction.

Mario Villarreal questioned the policy agreement did not see active members. Per City Manager pointed out the active members on the agreement is on page 8.

Upon the motion by Mayor Pro Tem Silva and seconded by Councilmember Cervantes, Council approved a Resolution regarding the Policies and Procedures for the Orange Cove Citizens on Patrol (Yes Vote: Lopez, Silva, Garcia, Pineda, and Cervantes)

CITY MANAGER:

2. **SUBJECT:** Discussion and Consideration regarding the Agreement between the City of Orange Cove and Friends of Orange Cove Animal Shelter (FOCAS) pertaining to the Orange Cove City Van

Recommendation: Council to consider approving a Resolution Conveying the City Van in an Agreement between the City of Orange Cove and Friends of Orange Cove Animal Shelter (FOCAS)

Upon the motion by Mayor Pro Tem Silva and seconded by Councilmember Pineda, Council approved the Resolution Conveying the City Van in an Agreement between the City of Orange Cove and Friends of Orange Cove Animal Shelter (FOCAS) (Yes Vote: Lopez, Silva, Garcia, Pineda, and Cervantes)

F. City Council and Successor Agency

3. **SUBJECT:** Discussion and Consideration regarding the Successor Agency to the Orange Cove Redevelopment Agency approving the ROPS 16-17 for the July 1, 2016 through June 30, 2017 period and approving the Administrative Budget for Fiscal Year 2016-17

Recommendation: The Successor Agency to consider approving the following:

1. Adopt Resolution No. 2016-01 Approving the Successor Agency's Administrative Budget for Fiscal Year 2016-17 pursuant to Health & Safety Code Section 34177(j)

Upon the motion by Member Silva and seconded by Member Cervantes, the Successor Agency approved Resolution No. 2016-01 approving the Successor Agency's Administrative Budget for Fiscal Year 2016-17 pursuant to Health & Safety Code Section 34177(j) (Yes Vote: Lopez, Silva, Garcia, Pineda, and Cervantes)

2. Adopt Resolution No. 2016-02 Approving the Recognized Obligation Payment Schedule 2016-17 for July 2016 through December 2017 and Authorizing its Transmittal

Upon the motion by Member Silva and seconded by Member Cervantes, the Successor Agency approve and adopted Resolution No. 2016-02 Approving the Recognized Obligation Payment Schedule 2016-17 for July 2016 through December 2017 and Authorizing its Transmittal(Yes Vote: Lopez, Silva, Garcia, Pineda, and Cervantes)

4. **SUBJECT:** Discussion and Consideration regarding the Proposal for Fiscal Year 2016-17 Successor Agency Consulting Services by RSG, Inc.

Recommendation: The Successor Agency to consider approving the attached Proposal for Fiscal Year 2016-17 Successor Agency Consulting Services form RSG relating to Successor Agency matters and authorize an amended contract subject to Oversight Board approval

Upon the motion by Member Silva and seconded by Member Cervantes, the Successor Agency approved the attached Proposal for Fiscal Year 2016-17 Successor Agency Consulting Services form RSG relating to Successor Agency matters and authorize an amended contract subject to Oversight Board approval (Yes Vote: Lopez, Silva, Garcia, Pineda, and Cervantes)

G. 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. Irene Alvarado from Orange Cove presented to Council a request to have copies of the form 700 for Council, Planning and Events Committee. Have the right to know what Boards Members are serving. There is a Lack of Transparency forms should be posted on the web site. Regarding the City Manager works in the community but we never hear from him or his progress. Never involved with the Orange Cove Chamber. City Manager ignores everyone. Great to have a new policy Manuel for the Citizens on Patrol, but what is the real role. The City Manager never has anything to report. Would like to get something from the City Manager what is he doing.

Ms. Donna Wheeler thanked Council for working with FOCAS.

Mario Villarreal regarding the Center both centers are doing really good and on budget. Staff doing a good job.

Tom Greenwood thanked Mayor and City Council and City Manager. Did get the restroom complete at the Fire Dept. Really need to start looking for grants to build a new facility find some money for the Police and Fire Department

Mayor stated that his dream was to build a new city hall when there was 12 million in the bank, but when he left the old Council spent it all.

H. City Manager's Report

Traveling a lot with JPA finance report with Temperance Flats
Thanked Public Work's staff for doing a good work. Preparation with the rain clear from flooding. Prevented a lot of the flooding.

Mayor asked to thank staff for doing a great job.

Sam have assistance from Proteus and Orange Cove residents. Doing Code Enforcement.

I. City Attorney's Report

Nothing to report.

J. City Council Communications

Councilman Gilbert Garcia:

Thankful that the city has a good policy for the Citizens on Patrol and FOCAS group is moving forward and hope there is no lack of communication. Agree with Ms. Alvarado there has been no report from City Manager. Appreciate FOCAS job.

Councilwoman Josie Cervantes:

Thanked both organization doing a good job.

Councilwoman Minerva Pineda:

Nothing to report.

Mayor Pro Tem Diana Guerra Silva:

Invited all those who want to volunteer on the Citizens on Patrol. Trying to work with this group and if we took this policy from Reedley then we took from a really good city. Like to give the people the benefit of the doubt. Thanked the Animal Shelter. The issue with the dogs are out there and active.

Mayor Victor P. Lopez:

Mayor Lopez: Yesterday meeting with Mayor Ashley to get her support for the JPA and concurred. Without the Mayor from Fresno not going any place. Mayor of Clovis is on board. This is a biggest thing in California.

K. Closed Session:

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: In the Matter of Sylvester Perez

L. Reconvene City Council Meeting:

Mayor Lopez announced that during the Closed Session Council approved the Agreement release of the Chief Operator Superintendent and authorize \$40,000.00 and City Manager will sign the documents.

Upon the motion by Mayor Pro Tem Diana Guerra Silva and seconded by Councilman Gilbert Garcia, Council approved the Agreement release of the Chief Operator Superintendent and authorize \$40,000.00 and City Manager will sign the documents. (Yes Vote: Lopez, Silva, Garcia, Pineda, and Cervantes)

M. Adjournment

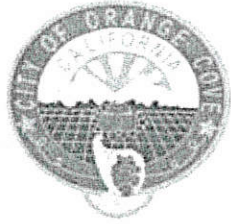
Mayor Lopez adjourned the City Council Meeting at 8:24 p.m.

RESPECTFULLY SUBMITTED:

June V. Bracamontes, City Clerk
City of Orange Cove

PRESENTED TO COUNCIL: _____

ACTION: _____



For the Meeting of: February 24, 2016

CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council
From: Gary D. Horn, City Engineer
Subject: Resolution Accepting Bid form Yanez Construction for the Replacement of Flooring and Wall Covering at the Julia A. Lopez Child Development Center Restrooms
Attachments: Resolution

RECOMMENDATION:

Council adopt the attached resolution accepting the bid from Yanez Construction to replace the vinyl flooring and fiberglass reinforced plastic (FRP) paneling in the restrooms at the Julia A. Lopez Child Development Center (Julia A. Lopez Center) in the amount of \$17,238 and authorizing the City Manager to sign a standard construction agreement.

EXECUTIVE SUMMARY:

The Department of Education inspected the Julia A. Lopez Center and required that the vinyl flooring and FRP panels in the restrooms be changed to eliminate cracks in the seams at the corners. Unfortunately, in order to do this all of the flooring and RFP panels must be replaced. Staff has received 2 bids for the work with the lowest coming from Yanez Construction for \$17,238.

BACKGROUND:

The City owns the building where the Julia A. Lopez Center operates. The flooring and wall covering in the children's restrooms was inspected by the Department of Education and they are requiring that the vinyl flooring and RFP panels be repaired at the seams. All of the flooring and wall covering must be replaced to do this. Additionally, the exhaust fan in the staff restroom had an electrical short that caused the flooring in that room to be damaged as well.

Prepared by: _____ GH _____

Approved by: _____

REVIEW: City Manager: _____

Finance: _____

City Attorney: _____

TYPE OF ITEM:

COUNCIL ACTION: APPROVED DENIED NO ACTION

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

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

The bids received are as follows:

Yanez Construction	\$17,238.00
DFS Flooring & Casey Construction	\$17,947.57

Last July a bid from A & M Capet, Inc. was approved by the Council for flooring only. Staff was not able to find a contractor to replace the FRP panels, so a contract with A & M was never signed.

REASON FOR RECOMMENDATION:

Yanez Construction submitted the lowest bid and is a reputable contractor. They recently completed the restroom improvements at the fire station.

FISCAL IMPACT:

The cost for the repairs is the City's responsibility.

ALTERNATIVES:

There are no alternatives.

ACTIONS FOLLOWING APPROVAL:

A standard construction contract with Yanez Construction will be signed.

CONFLICT OF INTEREST:

None.

RESOLUTION NO. 2016-10

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,
ACCEPTING BID FOR THE JULIA A. LOPEZ CHILD DEVELOPMENT CENTER
RESTROOM FLOORING AND WALL REPAIR PROJECT

WHEREAS, the City Staff has received informal bids for the Julia A. Lopez Child Development Center Restroom Flooring and Wall Repair Project; and

WHEREAS, the project will consist of the installation of vinyl flooring and fiberglass reinforced plastic panels in the restrooms at the Julia A. Lopez Child Development Center at 1300 South Avenue in the City of Orange Cove; and

WHEREAS, the following bids for the project were received:

<u>Contractor</u>	<u>Bid</u>
Yanez Construction	\$17,238.00
DFS Flooring and Casey Construction	\$17,947.57

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

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. Upon the recommendation of the City Engineer, the bid for the Julia A. Lopez Child Development Center Daycare Center Restroom Flooring and Wall Repair Project is hereby awarded to Yanez Construction in the amount of Seventeen Thousand Two Hundred Thirty-eight Dollars and No Cents (\$17,238.00).
3. 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.
4. 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 February 24, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

June Bracamontes, City Clerk



CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council
From: Joe Estrada Sr. Wastewater Treatment Operator III (CPO)
Subject: Emergency Sedimentation Basin sludge collector repair
Attachments: W.M. Lyles Co Invoice

RECOMMENDATION:

That the City Council:

1. Is informed of the Emergency Repair work done to our Wastewater facility

EXECUTIVE SUMMARY:

Clarifier # 1 Chain & Flight sludge collector, broke down early mid November. We had Clarifier # 2 Super Scraper sludge collector on standby. Clarifier # 2 was in operation well we pumped Clarifier # 1 down for inspection of what caused the malfunction, during this time going into late December Clarifier # 2 broke down. At this point we have No clarifier in operation, which would result in devastating conditions for our treatment.

BACKGROUND:

After identifying the cause of the malfunction, I found our Waste Activated Sludge pipe line was plugged and allowed our Clarifier # 1 to accumulate more than enough solids to buildup. Also we have two return activated sludge pumps to keep up with the clarifier fill time. Unfortunately our return activated sludge pump motors was non operable, which means our R.A.S pumps could not keep up with the accumulating sludge build up.

Prepared by: _____

Approved by: _____

REVIEW: City Manager: _____

Finance: _____

City Attorney: _____

TYPE OF ITEM:

COUNCIL ACTION: APPROVED DENIED NO ACTION

_____ Consent	_____ Public Hearing
_____ Info Item	_____ Matter Initiated by a Council Member
_____ Action Item	_____ Other
_____ Department Report	_____ Continued to: _____
_____ Redevelopment Agency	

REASON FOR RECOMMENDATION: :

I immediately discussed the situation with our City Engineers; the decision was to have it repaired as soon as possible to prevent our entire wastewater treatment facility from going sour.

FISCAL IMPACT:

Unexpected emergency repair Fees

ALTERNATIVES:

None

ACTIONS FOLLOWING APPROVAL:

All system that caused the malfunction to take place, have been repaired and up graded, the system is running and operating properly.

CONFLICT OF INTEREST:

None.

W. M. LYLES CO.

P. O. BOX 4377, FRESNO, CA 93744
PHONE (559) 441-1900
CALIFORNIA CONTRACTOR'S LICENSE NO. 422390

TO: City of Orange Cove
ATTN: Joe Estrada
ADDRESS: 633 6th Street
Orange Cove, CA 93646

DATE: 1/15/2016
INVOICE NO: 1-F
JOB NO: F-8435

JOB LOCATION: 1805 Monson, Orange Cove, CA 93646
JOB TITLE: Repair Sludge Collector

NUMBER	DATE	DESCRIPTION	AMOUNT
1	12/7/2015	Disassemble Sludge Collection	\$ 3,413.63
2	12/8/2015	Disassemble Sludge Collection, Generate Parts List	\$ 2,930.42
3	1/6/2016	Re-assemble / Repair Sludge Collection	\$ 3,483.70
TOTAL AMOUNT DUE THIS INVOICE			\$ 9,827.75

"Under the Mechanics' Lien Law (Calif. Code of Civil Procedure Section 3082 et Seq.) any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has a right to enforce claim against your property. This means that, after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to property. This means that, after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your contractor in full, if the subcontractor, laborer or supplier remains unpaid."

W. M. LYLES CO.

P. O. BOX 4377, FRESNO, CA 93744
PHONE (559) 441-1900
CALIFORNIA CONTRACTOR'S LICENSE NO. 422390

CUSTOMER: City of Reedley
DATE: 12/7/2015
DESCRIPTION: Disassemble Sludge Collection

JOB NO: F-8435
LOCATION: 1805 Monson, Orange Cove, CA 93646
JOB TITLE: Repair Sludge Collector

LABOR

EMPLOYEE	CLASS	S.T. EARNINGS			O.T. EARNINGS			D.T. EARNINGS			BENEFITS		SUBST	TOTALS
		HRS	RATE	AMOUNT	HRS	RATE	AMOUNT	HRS	RATE	AMOUNT	RATE	AMOUNT		
Chuck Flannigan	General Foreman	3	\$ 46.02	\$ 138.06		\$ 20.84	\$ -		\$ 41.67	\$ -	\$ 25.23	\$ 75.69	\$ -	\$ 213.75
Steve Olsen	Foreman	8	\$ 37.00	\$ 296.00		\$ 17.19	\$ -		\$ 34.37	\$ -	\$ 18.57	\$ 148.56	\$ -	\$ 444.56
Rodney Jones	Laborer	8	\$ 30.17	\$ 241.36		\$ 13.77	\$ -		\$ 27.54	\$ -	\$ 18.57	\$ 148.56	\$ -	\$ 389.92
John Villa	Laborer	8	\$ 30.42	\$ 243.36		\$ 13.90	\$ -		\$ 27.79	\$ -	\$ 18.57	\$ 148.56	\$ -	\$ 391.92
Dukane Martin	Warehouseman	2	\$ 28.00	\$ 56.00		\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56.00
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TOTALS				\$ 974.78		\$ -	\$ -		\$ -	\$ -	\$ 521.37	\$ -	\$ -	\$ 1,496.15

EQUIPMENT

DESCRIPTION	NO.	HRS.	RATE	TOTALS
Gang Truck	15-198	3	\$ 14.10	\$ 42.30
Gang Truck	15-203	8	\$ 14.10	\$ 112.80
Boom Truck	11-040	8	\$ 54.10	\$ 432.80
Pickup	18-254	2	\$ 12.60	\$ 25.20
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TOTALS				\$ 613.10

MATERIALS OR SUBCONTRACT

DATE	TICKET NO.	DESCRIPTION	TOTALS
12/7/2015		WML Transportation Mobilization In (Boom Truck)	\$ 400.00
TOTALS			\$ 400.00

SUMMARY

1 EARNING		\$ 974.78
2 INSURANCE AND TAXES	(26% OF ITEM 1)	\$ 253.44
3 TOOL EXPENSE	(6% OF ITEM 1)	\$ 58.49
4 WELFARE & PENSION FUND		\$ 521.37
5 SUBSISTENCE		\$ -
SUBTOTAL LABOR		\$ 1,808.08
6 EQUIPMENT		\$ 613.10
7 MATERIAL & SUBCONTRACT		\$ 400.00
SUBTOTAL EQUIPMENT & MATERIALS		\$ 1,013.10
SUBTOTAL LABOR, EQUIPMENT & MATERIALS		\$ 2,821.18
8 OVERHEAD	(10% OF ITEM 1-7)	\$ 282.12
9 PROFIT	(10% OF ITEM 1-8)	\$ 310.33
TOTAL		\$ 3,413.63

W. M. LYLES CO.

P. O. BOX 4377, FRESNO, CA 93744
 PHONE (559) 441-1900
 CALIFORNIA CONTRACTOR'S LICENSE NO. 422390

CUSTOMER: City of Orange Cove
 DATE: 1/6/2016
 DESCRIPTION: Re-assemble / Repair Sludge Collection

JOB NO: F-8435
 LOCATION: 1805 Monson, Orange Cox
 JOB TITLE: Repair Sludge Collector

LABOR

EMPLOYEE	CLASS	S.T. EARNINGS			O.T. EARNINGS			D.T. EARNINGS			BENEFITS		SUBST	TOTALS
		HRS	RATE	AMOUNT	HRS	RATE	AMOUNT	HRS	RATE	AMOUNT	RATE	AMOUNT		
Chuck Flannigan	General Foreman	3	\$ 46.02	\$ 138.06		\$ 20.84	\$ -		\$ 41.67	\$ -	\$ 25.23	\$ 75.69	\$ -	\$ 213.75
Steve Olsen	Foreman	9	\$ 37.00	\$ 333.00	1	\$ 17.19	\$ 17.19		\$ 34.37	\$ -	\$ 18.57	\$ 167.13	\$ -	\$ 517.32
Rodney Jones	Laborer	9	\$ 30.17	\$ 271.53	1	\$ 13.77	\$ 13.77		\$ 27.54	\$ -	\$ 18.57	\$ 167.13	\$ -	\$ 452.43
Cody Morgan	Laborer	9	\$ 30.17	\$ 271.53	1	\$ 13.77	\$ 13.77		\$ 27.54	\$ -	\$ 18.57	\$ 167.13	\$ -	\$ 452.43
Dukane Martin	Warehouseman	3	\$ 28.00	\$ 84.00		\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 84.00
Bryce Colan	Operator	4	\$ 41.49	\$ 165.96		\$ 18.79	\$ -		\$ 37.58	\$ -	\$ 25.52	\$ 102.08	\$ -	\$ 268.04
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TOTALS				\$ 1,264.08		\$ 44.73			\$ -		\$ 679.16	\$ -	\$ 1,987.97	

EQUIPMENT

DESCRIPTION	NO.	HRS.	RATE	TOTALS
Gang Truck	15-198	3	\$ 14.10	\$ 42.30
Gang Truck	15-203	8	\$ 14.10	\$ 112.80
Boom Truck	11-047	4	\$ 54.10	\$ 216.40
Pickup	18-259	8	\$ 12.60	\$ 100.80
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TOTALS				\$ 472.30

MATERIALS OR SUBCONTRACT

DATE	TICKET NO.	DESCRIPTION	TOTALS
TOTALS			\$ -

SUMMARY

1 EARNING		\$ 1,308.81
2 INSURANCE AND TAXES	(26% OF ITEM 1)	\$ 340.29
3 TOOL EXPENSE	(6% OF ITEM 1)	\$ 78.53
4 WELFARE & PENSION FUND		\$ 679.16
5 SUBSISTENCE		\$ -
SUBTOTAL LABOR		\$ 2,406.79
6 EQUIPMENT		\$ 472.30
7 MATERIAL & SUBCONTRACT		\$ -
SUBTOTAL EQUIPMENT & MATERIALS		\$ 472.30
SUBTOTAL LABOR, EQUIPMENT & MATERIALS		\$ 2,879.09
8 OVERHEAD	(10% OF ITEM 1-7)	\$ 287.91
9 PROFIT	(10% OF ITEM 1-8)	\$ 316.70
TOTAL		\$ 3,483.70



CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council
From: Samuel A. Escobar, City Manager
Subject: Resolution Approving Reduction of Development Impact Fees for Conversion of Laundry Room to Security Living Unit
Attachments: Resolution

RECOMMENDATION:

Council consider the attached resolution waiving the Development Impact Fees for the conversion of the Laundry Room to a Security Living Unit at the Orchard Village Apartments located at the southwest corner of South Avenue and Orange Street.

EXECUTIVE SUMMARY:

Owners of the Orchard Village Apartments is converting the Laundry Unit to a Living Unit, since laundry connections are now available in the re-modeled units. Development Impact Fees are due when new living units are constructed. The current total fees for a multiple family unit is \$10,041. The new unit will be occupied by on-site security personnel employed by the owners. In view of the fact that the owners have installed security cameras, allowed the Police Department access to those cameras, and created a living unit for their security personnel the owners have requested that the Development Impact Fees for this one unit be waived. Council may consider collecting only the Water Treatment and Sewer Treatment Fees that total \$4,751.

BACKGROUND:

Development Impact Fees are collected by the City of Orange Cove to pay for additional infrastructure to serve new developments, such as increased capacity at the Water Treatment Plant, Wastewater Treatment Plant, Storm Drain facilities, Traffic improvements, Parks, Fire and Police equipment.

Prepared by: SAE

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: _____

The owners of the Orchard Village Apartments have undertaken a major remodeling project at the site. The improvements have included solar panels, drought tolerant landscaping and security cameras. The owners desire to eliminate the Laundry Unit and convert it to a living unit for security personnel. They have also allowed the Police Department access to the security cameras. To offset the cost of the unit conversion the owners are requesting that the Development Impact Fees for the conversion of the Laundry Unit to a Living Unit be reduced.

The Multiple-family Development Impact Fee for the Water Treatment Facilities is \$1,941 per unit and the Sewer Treatment Facilities Fee is \$2,810, for a total of \$4,751. Fees for these two categories are the most critical for the City. While the other fee categories are important, the water and sewer treatment facilities are critically vital.

REASON FOR RECOMMENDATION:

Council should consider the request by the property owner.

FISCAL IMPACT:

Waiving the Development Impact Fees for certain categories will mean that less money will be available for future infrastructure. However, the impact will be minimal.

ALTERNATIVES:

The Council can choose not to grant the owners request.

ACTIONS FOLLOWING APPROVAL:

Development Impact Fees will be collected for Water Treatment Facilities and Sewer Treatment Facilities only, totaling \$4,751..

CONFLICT OF INTEREST:

None.

RESOLUTION NO. 2016-11

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,
WAIVING DEVELOPMENT IMPACT FEES FOR THE CONVERSION OF ONE EXISTING
BUILDING TO A LIVING UNIT AT THE ORCHARD VILLAGE APARTMENTS

WHEREAS, the Orchard Village Apartments was constructed in 1993 and offers reduced rents to low-income individuals; and

WHEREAS, in 2015 the owners commenced a major remodeling project that included installation of solar energy equipment, new landscaping, installation of security cameras and conversion of the laundry unit to a living unit dedicated to security personnel; and

WHEREAS, the City of Orange Cove charges Development Impact Fees for construction of all new developments according to category of development and types of infrastructure; and

WHEREAS, the current total fees for a multiple family unit is \$10,041 as shown in attached Exhibit "A;" and

WHEREAS, the fees for Water Treatment Facilities and Sewer Treatment Facilities are \$1,941 and \$2,810 respectively.

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. In consideration of the conversion of the laundry unit to a living unit dedicated to occupancy by security personnel the City Council finds that the benefit to the City of Orange Cove for enhanced security at the Orchard Village Apartments warrant a reduction in the Development Impact Fees due for the conversion of this unit.
3. The Development Impact Fees due for this project will be the total of the Water Treatment Facilities Fee of \$1,941 and Sewer Treatment Facilities Fee of \$2,810.
- 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 February 24, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Victor P. Lopez, Mayor

ATTEST:

June Bracamontes, City Clerk

EXHIBIT A

FEE	RATE PER UNIT
Major Street	\$546
Traffic Control	\$171
Water Acquisition	\$224
Water Treatment	\$1,941
Water Distribution System	\$174
Sewer Treatment Facilities	\$2,810
Sewer Collection System	\$70
Storm Drainage Facilities	\$770
Parks and Recreation	\$3,023
Law Enforcement	\$156
Fire Protection	\$156

Notice of Public Hearing for Discussion of Possible State CDBG Application

NOTICE IS HEREBY GIVEN that the City of Orange Cove will conduct a public hearing on February 24, 2016 at 6:30 pm, at City Council Chambers located at 633 Sixth Street, in order to discuss possible applications for funding under the next fiscal year program (July 1 – June 30) of the State Community Development Block Grant (CDBG) Program and to solicit citizen input on possible activities to be included in the application.

The Community Development and Economic Development Allocations of the State CDBG program will publish a combined "Notice of Funding Availability" (NOFA) each program year. Eligible cities and counties may submit applications for CDBG funds under the NOFA. It is estimated that up to \$2,000,000 will be available in total. The Economic Development "Over-the-Counter" (OTC) Allocation requires a separate application with a maximum limit of \$3,000,000 per year. The NOFA also includes the Native American and Colonia's Allocations. The Native American Allocation is only for areas with high concentrations of low-income Native American residents, who are not part of a federally recognized Native American Indian tribe or Rancheria. The Colonia's funding is only for designated communities within 150 miles of the Mexican-American border.

Eligible activities under the above allocations in the NOFA consist of: homeownership assistance and housing rehabilitation programs; public facility and public improvements projects (including public improvements in support of new housing construction); public service programs, planning studies, economic development business assistance and microenterprise activities. Eligible activities paid for with State CDBG funds must meet one or more of the three national objectives listed in CDBG federal statutes as follows: benefit to low income households or persons; elimination of slums and blight; or meeting urgent community development need.

The City of Orange Cove anticipates submitting an application under the NOFA published during the next program year. The City will also review any Program Income that is on hand or expected to be expended over the next fiscal year.

The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding what types of eligible activities the City of Orange Cove should apply for under the State CDBG program. A separate public hearing will be held to discuss and approve the application prior to submittal to the State.

If you require special accommodations to participate in the public hearing, please contact June Bracamontes at (559) 378-6646.

If you are unable to attend the public hearing, you may direct written comments to the City of Orange Cove, 633 Sixth Street, Orange Cove, CA 93646 or you may telephone June Bracamontes at (559) 378-6646. In addition, information is available for review at the above address between the hours of 9:00 am to 4:00 pm Monday through Friday.

The City of Orange Cove promotes fair housing and makes all its programs available to low and moderate income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status or handicap.