



AGENDA

Victor P. Lopez, Mayor

Diana Guerra Silva, Mayor Pro Tem
Esperanza Rodriguez, Council Member

Roy Rodriguez, Council Member
Josie Cervantes, Council Member

WEDNESDAY, SEPTEMBER 11, 2019 - 6:30 P.M.

Orange Cove Council Chambers

633 6th Street, Orange Cove, California 93646

A. Call to Order/Welcome

Roll Call
Invocation
Flag Salute

B. Confirmation of Agenda

C. Consent Calendar

1. City Council Minutes of July 24, 2019
2. Approval of Revised Maintenance Worker Job Description

D. Administration

City Engineer:

3. **SUBJECT:** Monthly Project Progress Update

Recommendation: Informational Item Only

Chief of Police:

4. **SUBJECT:** Monthly Activity Report presented by Chief of Police, Marty Rivera

Recommendation: Informational Item Only

Interim City Manager:

5. **SUBJECT:** Annual Tour de Fresno Bike Ride September 21, 2019

Recommendation: Council to approve a rest stop for the Annual Tour de Fresno Bike Ride September 21, 2019 at the corner of Center and Park Blvd. located at Eaton Park in the City of Orange Cove

6. **SUBJECT:** Horchata Con Hurtado Senator Hurtado Meet and Greet

Recommendation: Usage of the VPL Center on September 27, 2019 Horchata Con Hurtado; Senator Hurtado Meet and Greet from 12pm-1pm requested by representative Jacob Villagomez

7. **SUBJECT:** Public Safety Measure

Recommendation: Results of Polling Survey for a New Possible Public Safety Measure

8. **SUBJECT:** Mexican Rodeo requested by Angela Diaz owner of Cabanas Restaurant

Recommendation: Council to review/discuss and consider approving the Mexican Rodeo on September 21, 2019 at the Gene Welch Park behind the VPL Center requested by Angela Diaz owner of Cabanas Restaurant

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 speaker's microphone, state your name and address, and then proceed with your comments.

F. City Manager's Report

G. City Attorney's Report

9. **SUBJECT:** Ordinance No. 387 Pertaining to Prohibition of Smoking

Recommendation: Council to approve the introduction and first reading waiving full reading of Ordinance No. 387 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE AMENDING TITLE 8 OF THE ORANGE COVE MUNICIPAL CODE PERTAINING TO PROHIBITION OF SMOKING BY THE AMENDMENT OF CHAPTER 8.32 AND PROVIDING FOR THE PUBLICATION, ENACTMENT AND EFFECTIVE DATE THEREOF

H. City Council Communications

I. Closed Session

10. Pursuant to Government Code Section 54957
Public Employee
Title: Reappointment of Interim City Manager/Financial Consultant

J. Reconvene City Council Meeting

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.



MINUTES

Victor P. Lopez, Mayor

Diana Guerra Silva, Mayor Pro Tem
Roy Rodriguez, Council Member

Josie Cervantes, Council Member
Esperanza Rodriguez, Council Member

WEDNESDAY, July 24, 2019 - 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 Roy Rodriguez
Councilmember Josie Cervantes (ABSENT)
Councilmember Esperanza Rodriguez

STAFF PRESENT: Financial Consultant/Interim City Manager Rudy Hernandez
Police Chief, Marty Rivera
City Attorney, Dan McCloskey
City Clerk June V. Bracamontes

INVOCATION: Mayor Pro Tem Diana Guerra Silva

B. Confirmation of Agenda

No Changes

C. Presentation

1. Presentation by Muriel Gobeia Program Assistant from California Health Collaborative

Ms. Mureil Gobeia presented to Council Tobacco Satistic, Second Smoke Toxic, Service Area and what they offer. Also discussed about amending our current Smoke Ordinance.

2. Presentation by Mayor Lopez "Honoring Ramon Ayala"

Mayor Lopez presented that Ramon Ayala will be performing in the City of Orange Cove and that a non-profit organization will be giving \$8,000 to Target Eight which will be sponsoring the concert. Organization will provide security.

D. Consent Calendar

3. Special City Council Minutes of July 10, 2019 – 5:30 p.m.
4. City Council Minutes of July 10, 2019 – 6:30 p.m.
5. Facility Use Application for the VPL Center requested by Knights of Columbus for the Annual Scholarship Dance Fund Raiser on August 31, 2019 Waiving Fees
6. Approval of City Manager's Job Description for the City of Orange Cove

Upon the motion by Councilman Rodriguez and seconded by Councilwoman E. Rodriguez, Council approved the consent calendar as presented.

Yes: Lopez, R. Rodriguez, E. Rodriguez
No: None
Absent: Silva and Cervantes
Abstain: None

E. Administration

City Engineer

7. **SUBJECT:** Resolution to Authorize Application for and receipt of SB 2 Planning Grant Program Funds

Recommendation: Staff recommends that the City Council adopt the attached Resolution No. 2019-43 authorizing the City's application for and receipt of the Department of Housing and Community Development's 2019 Planning Grants Program funds.

Upon the motion by Councilwoman E. Rodriguez and seconded by Councilman Rodriguez, Council approved Resolution No. 2019-43 authorizing the City's application for and receipt of the Department of Housing and Community Development's 2019 Planning Grants Program funds

Yes: Lopez, R. Rodriguez, E. Rodriguez
No: None
Absent: Silva and Cervantes
Abstain: None

Chief of Police:

8. **SUBJECT:** Family Healing Center MOU

Recommendation: Council to consider approving the Family Healing Center MOU

Upon the motion by Councilman Rodriguez and seconded by Councilwoman E. Rodriguez, Council approved the Family Health Center MOU as presented.

Yes: Lopez, R. Rodriguez, E. Rodriguez
No: None
Absent: Silva and Cervantes
Abstain: None

Interim City Manager:

9. **SUBJECT:** Interim Budget for Fiscal Year 2019-20

Recommendation: Council to consider approving Resolution No. 2019-44 Approving the Interim Budget for Fiscal Year 2019-20

Upon the motion by Councilman R. Rodriguez and seconded by E. Rodriguez, Council approved Resolution No. 2019-44 Approving the Interim Budget for Fiscal Year 2019-20 as presented.

Yes: Lopez, R. Rodriguez, E. Rodriguez
No: None
Absent: Silva and Cervantes
Abstain: None

10. **SUBJECT:** Update on Financial Issues

Recommendation: Informational Item Only

Rudy Hernandez presented to Council the following:

1. FY 2017-18 Audit
2. Housing Rehab Grant Program (\$10,000) started February 4, 2019 need to get contractor bids deadline August 30, 2019, then administrator will approve the grant

F. 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.

Mr. Manuel Ferreira concern citizen about the houses burned down and does the city have a plan. Mayor Lopez agreed that the city needs to monitor these burned down houses.

G. City Manager's Report

None

H. City Attorney's Report

None.

I. City Council Communications

Nothing to report

J. Closed Session: Council went into Closed Session at 7:16pm

11. Conference with Labor Negotiators (Government Code Section 54957.6)
City Designated Representative: Rudy Hernandez, Interim City Manager
Employee Organization: International Union of Operating
Engineers, Stationary Engineers, Local 39

K. Reconvene City Council Meeting:

Mayor Lopez reconvene the City Council Meeting at 7:45 p.m. and announced nothing to report.

L. Adjournment

Mayor Lopez adjourned the City Council Meeting at 7:45 p.m.

Respectfully submitted:

June V. Bracamontes, City Clerk

Date: _____ Action: _____



Date: September 11, 2019
To: Mayor and City Council
From: Rudy Hernandez, Interim City Manager
Subject: Approval of Revised Maintenance Worker Job Description With Janitorial Duties.
Attachments: Revised Maintenance Worker Job Description

BACKGROUND:

On Tuesday July 23, 2019, I spoke with the Union representative regarding the above mentioned subject matter and at that time there was no objection regarding my proposal other than to send a copy of the revised maintenance worker job description which I did (See attached e-mail dated 7-24-2019). In addition, I stated to the Union representative that I would be discussing this issue with the City Council in close session on Wednesday July 24, 2019. The City Council approved this item on July 24, 2019.

RECOMMENDATION:

Staff recommends the City Council approve the attached revised Maintenance Worker Job Description with Janitorial Duties.

FISCAL IMPACT:

None.

Prepared by: Rudy Hernandez

Approved by: [Signature]

REVIEW: City Manager: [Signature]

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

CITY OF ORANGE COVE
MAINTENANCE WORKER

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include** all duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION:

Under general supervision, learns to perform and performs the full array of duties assigned to classes in the Maintenance Worker series, including maintenance, repair, construction and installation work in streets, sewers and wastewater treatment, parks, water distribution, and facilities maintenance; demonstrates a full understanding of all applicable policies, procedures and work methods associated with assigned duties; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

Maintenance Worker

Maintenance Worker is a series that allows the incumbent to develop journey level knowledge and abilities. The incumbents are expected to independently perform the full scope of assigned duties. Incumbents perform a full range of maintenance and construction tasks. This classification is distinguished from the lower classification of Laborer.

SUPERVISION RECEIVED/EXERCISED:

Maintenance Worker

Receives immediate supervision from a Public Works Supervisor or the Public Works Superintendent. Incumbents in this class do not routinely exercise supervision.

ESSENTIAL FUNCTIONS: (include but are not limited to the following)

Breaks, removes, seals cracks, hydro-patches, and repairs surfaces; digs, shovels, hauls, loads and unloads materials; operates jack hammers, tampers, pavement breakers, and other hand and power tools; rolls and irons asphalt; operates construction vehicles and equipment; assists in the installation and maintenance of City signs, road markings, striping, and delineators; paints street lines and crosswalks; performs concrete sidewalk, curb, gutter, and ramp installation and repair; installs bricks and pavers; installs, maintains and repairs street lights; installs shoring and trench plates sweeps streets and sidewalks; cleans storm drains and ditches; hydro flushes and rods; repairs and installs sewer collection lines; mows roadsides.

- Performs installation, maintenance and repair of the City's water distribution system; digs, shovels, hauls, loads and unloads materials, operates jackhammers, asphalt and concrete saws, pipe threaders, cement mixers, and other hand and power tools; inspects for and repairs leaks in meters and lines; operates pipe and leak detecting equipment; notifies customers of problems or disruptions of water service; monitors underground service alert (USA's) and marks when necessary; checks pump stations and records flows; flushes and flow tests hydrants; reads meters on an assigned route and records readings; re-reads meters as necessary and investigates unusual readings and customer complaints; identifies and replaces faulty water meters when required.
- Performs skilled and semi-skilled work in building and facility maintenance, including carpentry, plumbing, mechanical, electrical, and painting; performs general cleaning of buildings, facilities and grounds; repairs and installs electrical outlets, fixtures, switches, and wiring; performs interior and exterior painting and staining.

- Mows, edges and weeds landscaped areas; plants trees, flowers and shrubs; assists in the installation of new park areas; maintains and upgrades all City parks, pathways and landscape areas; repairs and installs landscape irrigation systems; assists in the application of herbicides and pesticides; inspects facilities, grounds and park play equipment for conditions needing repair and maintenance.
- Performs cement work, installation of bricks and pavers, minor carpentry, tree trimming and traffic control; operates trucks and other maintenance and construction equipment; inspects tools and equipment for safety and mechanical defects; assists with City sponsored functions; responds to after hours call-outs as assigned.
- Responds to questions and concerns from the general public; provides information as is appropriate and resolves public service complaints.
- Establishes positive working relationships with representatives of community organizations, state/local agencies, City management and staff and the public.
- Performs a variety of Janitorial duties such as general cleaning of the building and keeping it maintained and in good condition. Vacuum, sweep, and mop floors. Cleaning and stock restrooms. Ensure doors are locked after hours. Clean up spills with appropriate equipment. Perform minor repairs. Notify supervisors or managers of major repairs. Collect and dispose of trash. Complete tasks in a timely manner with minimal supervision. Keep cleaning supplies in stock. Work with a contract cleaning service when necessary. Handle basic maintenance, building repairs, cleaning and other janitorial work; Able to work safely with a variety of cleaning supplies and able to use basic cleaning equipment

OTHER DUTIES:

*Employees in this series maybe assigned in specific duties such as Animal Control; Sewer; and Street Sweeper. Assignment will be determined by the Public Works Superintendent. (Animal Control is a temporary position 3-4 hours a day). Ability to manage your time efficiently; Work well when supervisors are not present.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry and push tools, equipment and supplies weighing 75 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot and cold. The incumbent may use chemicals, which may expose the employee to fumes, dust and air contaminants. The nature of the work also requires the incumbent to climb ladders, use power and noise producing tools and equipment, drive motorized vehicles and heavy equipment, and work in heavy vehicle traffic conditions. The incumbent may be required to respond to after hours emergency call-outs and perform routine standby duties.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Maintenance Worker**. A typical way of obtaining the required qualifications is to possess the equivalent of: One year of work experience as a laborer in construction, maintenance or

landscape work, and a high school diploma or equivalent.

License/Certificate:

Maintenance Worker: Possession of, or the ability to obtain, a valid class C California driver's license. Possession of a class B California driver's license may be required for some positions.

Successfully complete and pass the department's Animal Certification Program within one (1) year of employment

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position. The level and scope of the knowledge and abilities listed below vary*

Knowledge of:

Practices, techniques and materials used in maintenance, construction, mechanics and repair of streets, lighting, traffic signs and markings, buildings, parks, grounds, sewer collection and water distribution facilities; operational characteristics of standard construction and maintenance tools and equipment; practice and procedure used in weed abatement; safety requirements for operation of trucks and other equipment; methods and techniques of scheduling work assignments; methods and techniques for record keeping; occupational hazards and standard safety practices.

Ability to:

Perform maintenance, repair and installation of asphalt, sidewalks, signs, parks and landscaping, sewer collection systems, lighting, concrete and storm drains; operate a variety of tools and equipment used in maintenance and construction; operate hand and power tools competently and safely; perform heavy manual labor; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Safely and effectively operate a variety of maintenance equipment, tools and materials. **CITY**

PHILOSOPHY

As a small city, Orange Cove utilizes a teamwork approach. All personnel are expected to learn the department functions necessary to continue effective City operations. This allows the City to carry on in case of illness, or unexpected employee turnover. Cross-training to accomplish this goal is encouraged and expected.

Rudy Hernandez

From: Rudy Hernandez <rudy@cityoforange Cove.com>
Sent: Wednesday, July 24, 2019 6:17 PM
To: 'Marina Magdaleno'
Subject: Revised Maintenance Worker Position With Janitorial Duties
Attachments: Revised Maintenance Worker Job Description - 7-24-2019.rtf

Hi Marina – Per our discussion yesterday regarding the above mentioned subject matter, please review and get back to me at your earliest convenience. If approved, I would like to move Silvia Lopez to the task of performing janitorial duties on a full-time basis. The reason for this move is based on the fact that many City Buildings and facilities are not being maintained adequately. Sometimes it's embarrassing when we have public meetings and the restrooms are not cleaned and there is no toilet paper/paper towels. I would appreciate your understanding and support and I would like to appoint Silvia ASAP. Please share your comments.

Thanks
Rudy

ENGINEER'S REPORT

TO: CITY COUNCIL
FROM: ALFONSO MANRIQUE, PE
AM CONSULTING ENGINEERS, INC.
SUBJECT: PROJECT PROGRESS UPDATE
DATE: SEPTEMBER 11, 2019

This Engineer's Report provides an update on the progress made on the various projects that we are currently working on:

1. Site Plan Reviews

a. Stars & Stripes Towing

The Final Grading Plan was approved on February 26, 2019. The developer still needs to obtain a Grading Permit from the City prior to construction. Since the Site Plan Approval letter was sent to the Applicant on November 14, 2018, AM Consulting Engineers will be sending the Applicant a letter notifying him that the City's approval of the Site Plan is set to expire on November 14, 2019.

b. Pizza Parlor

Applicant must address AM Consulting Engineers May 17, 2019 comments before a site plan can be approved. AM Consulting Engineers has followed up with the Applicant to see if there has been any progress made on addressing the comments and has received no response.

c. Smog Shop

Applicant needs to address comments from Interest Consulting before a building permit can be obtained from the City.

d. Kiosk Ice Machine

A site plan for a water purifier and ice making kiosk for the existing convenient store located at 999 Park Blvd. was submitted on August 29, 2019. AM Consulting Engineers is currently reviewing the site plan and drafting the comment letter.

2. FHWA Projects

a. 2015 ATP School Safety Improvements

The Notice of Completion has been filed with Fresno County and City has submitted the retention payment to the Contractor. AM Consulting Engineers is currently preparing the final invoice and ATP Deliver Report to submit to Caltrans.

b. Adams Avenue Reconstruction from Friant Kern Canal to South Hills Valley Road

Plans, technical specifications and ROW are complete, and the Request for Authorization for Construction has been submitted to Caltrans. Caltrans is currently waiting for the August redistribution of Federal Funds before approving the Request for Authorization.

c. Adams Avenue Improvements from Jacobs Avenue to 4th Street

Plans, technical specifications and ROW are complete, and the Request for Authorization for Construction has been submitted to Caltrans. Caltrans is currently waiting for the August redistribution of Federal Funds before approving the Request for Authorization.

d. D Street Sidewalks

Gateway Engineering is currently preparing the plans, technical specifications, environmental and ROW documents for submission to Caltrans. AM Consulting Engineers has notified Gateway Engineering that all documents need to be finalized by the end of the year. AM Consulting Engineers will then submit the Request for Authorization for Construction by March 2020.

3. Water Enterprise

a. Friant Kern Canal Shut Down

AM Consulting Engineers has been working directly with the State to submit documents required for the AB 72 Application. No additional documents are required at this time.

b. Water Treatment Plant Improvements

City Staff, AM Consulting Engineers, the Division of Drinking water will be having a meeting with Robert Neilson and Sally Trip from the USDA on Friday, September 5, 2019 at 10am at the USDA's office. The agenda for the meeting will be to discuss the scope of the project and receiving funding through the USDA.

4. Final Parcel Map No. 2019

AM Consulting Engineers was contacted by Fresno County on August 27th regarding minor corrections to the Parcel Map. AM Consulting Engineers and the Applicant Joe Diaz are working to address the corrections as soon as possible.

5. Cal Recycle

Pena's Disposal is working on conducting site visits for the commercial business and multi-family units that have not responded to the questionnaire. The site visits are needed in order to determine if they qualify for the exemption or to try to get them to subscribe if they don't qualify. The City will need to send a final notice to those that are still not making an effort to comply.

6. EDA Off-site Improvements at Northwest Corner of Park Blvd and Anchor Ave

AM Consulting Engineers was informed by Justin Jones of the EDA that the Investment Review Committee approved the City's Application. The City should expect to receive a decision letter from the EDA the week of September 9, 2019. More information is expected to follow after receipt of the decision letter.

7. Dollar Tree

On August 30, 2019 AM Consulting received a grading plan, utility plan, Geotechnical Investigation Report, and SWPPP. However, site plan review comments that were provided to the applicant on June 14, 2019 still need to be addressed. AM Consulting Engineers will be touching base with the applicant to confirm when a revised site plan will be submitted for approval.

8. Water Energy Grant – Grant Completion Report

All necessary documents have been submitted and approved by the DWR. The City mailed Invoice No. 12 on August 30, 2019 seeking retention for this project. DWR is currently processing this Invoice and Invoice No. 11.

9. San Joaquin Valley Air Pollution Control District Grant

AM Consulting Engineers submitted the Public Benefit Grant Application on August 27, 2019.

10. Amaya Housing Project

Developer currently preparing plans for the project. The only remaining item for the AHSC loan is for the Developer to obtain the EIN (Tax ID) for the partnership. Once the Developer has the EIN, they can complete the Payee Data Record and HCD will issue the Standard Agreement. A meeting with Don Slattery of Pacific West Communities, Inc. has been scheduled for Thursday September 12th at 1 pm. We will be meeting to discuss the Amaya Housing Project design, conditions of approval, plan check submittal process and timelines, project timelines required by financing and any other items that are important to the success of the project.

11. Energy Audit

On August 28, 2019, City Council approved the preparation of an energy audit by Alliance Building Solutions, Inc. Alliance will be preparing a comprehensive utility analysis and a project feasibility report for self-funding infrastructure improvements at no cost to the City.



ORANGE COVE POLICE DEPARTMENT

AUGUST 2019 MONTHLY STATISTICS

CHIEF OF POLICE - MARTY RIVERA



PART 1 CRIMES

| | JULY | AUGUST | % | YTD | YTD |
|---------------------|------|--------|--------|------|------|
| | 2019 | 2019 | Change | 2018 | 2019 |
| Homicide | 0 | 0 | 0% | 1 | 0 |
| Rape | 0 | 0 | 0% | 3 | 0 |
| Attempted Murder | 0 | 0 | 0% | 0 | 0 |
| Robbery | 0 | 1 | 100% | 1 | 3 |
| Assault | 1 | 1 | 0% | 18 | 6 |
| Burglary | 0 | 1 | 100% | 18 | 13 |
| Grand Theft Auto | 1 | 2 | 100% | 18 | 11 |
| Total Part 1 Crimes | 2 | 5 | 150% | 59 | 33 |

| | JULY | AUGUST | % | YTD | YTD |
|---------------------|------|--------|--------|------|------|
| | 2019 | 2019 | Change | 2018 | 2019 |
| Sex Crimes | 0 | 1 | 100% | 5 | 9 |
| Narcotics | 3 | 3 | 0% | 19 | 24 |
| Child Abuse | 0 | 0 | 0% | 3 | 5 |
| Runaways | 5 | 1 | -80% | 7 | 19 |
| Total Part 2 Crimes | 8 | 5 | -38% | 34 | 57 |

TRAFFIC STATISTICS

| | JULY | AUGUST | % | YTD | YTD |
|--------------------------|------|--------|--------|------|------|
| | 2019 | 2019 | Change | 2018 | 2019 |
| Total Traffic Collisions | 8 | | -100% | 43 | 43 |
| Fatalities | 0 | 0 | 0% | 2 | 0 |
| Injury | 2 | 1 | -50% | 4 | 5 |
| Non Injury | 2 | 3 | 50% | 24 | 23 |
| Hit & Run | 4 | 1 | -75% | 12 | 15 |

ENFORCEMENT STATISTICS

| | JULY | AUGUST | % | YTD | YTD |
|------------------------------|------|--------|--------|-------|-------|
| | 2019 | 2019 | Change | 2018 | 2019 |
| Total Traffic Citations | 14 | 30 | 114% | 448 | 255 |
| Total Vehicle Stops | 90 | 141 | 57% | 1,150 | 1,091 |
| Seatbelt Violations | 1 | 3 | 200% | 23 | 10 |
| Unsafe Speed Violations | 1 | 0 | -100% | 9 | 5 |
| Fail To Obey Stop Sign/Light | 5 | 3 | -40% | 71 | 67 |
| Driving Under the Influence | 1 | 1 | 0% | 26 | 14 |
| Gang Arrests - Felony | 0 | 0 | 0% | 8 | 6 |
| Gang Arrests - Misdemeanor | 0 | 0 | 0% | 10 | 2 |
| Gang Field Interview Cards | 1 | 1 | 0% | 29 | 18 |
| Juvenile Detentions/Arrests | 1 | 0 | -100% | 8 | 7 |
| Adult Arrests | 14 | 17 | 21% | 262 | 173 |

| | | JULY | AUGUST | % | YTD | YTD |
|--|-----------------------------|------|--------|--------|-------|------|
| | | 2019 | 2019 | Change | 2018 | 2019 |
| | 5150 | 2 | 5 | 150% | 25 | 22 |
| | Agency Assist | 9 | 2 | -78% | 85 | 77 |
| | Battery | 1 | 2 | 100% | 15 | 10 |
| | Evading/Obstructing Officer | 2 | 1 | -50% | 16 | 8 |
| | Fraud | 0 | 2 | 200% | 4 | 8 |
| | Identity Theft | 0 | 1 | 100% | 5 | 5 |
| | Spousal Abuse | 5 | 5 | 0% | 47 | 39 |
| | Graffiti/Vandalism | 6 | 7 | 17% | 44 | 34 |
| | Veh. Burglaries | 0 | 0 | 0% | 6 | 2 |
| | General Incidents | 12 | 11 | -8% | 137 | 121 |
| | Weapons Confiscated | 1 | 1 | 0% | 24 | 13 |
| | Petty Theft | 3 | 6 | 100% | 32 | 32 |
| | Public Intoxication | 0 | 1 | 100% | 9 | 4 |
| | Suspended License | 3 | 2 | -33% | 12 | 14 |
| | Unlicensed Drivers | 3 | 13 | 333% | 60 | 81 |
| | Vehicles Towed | 12 | 15 | 25% | 116 | 99 |
| | Vehicles Released | 4 | 4 | 0% | 60 | 39 |
| | Case Number Drawn | 131 | 174 | 33% | 1,233 | 1155 |
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POLICE DEPARTMENT MONTHLY REPORT

September 11, 2019

STAFF LEVELS

Staff levels remain the same. 10 plus myself. Three Reserve Officers. Urrea is full time contract reserve. Officer Ngo only works on call when needed to fill a shift.

Reserve Officer Diaz just started Phase 2 of the FTO Program.

Events Several events were held in August. Put a strain on our overtime budget and officers.

GrantsWaiting to hear on Tobacco Grant. Should hear something soon.

June Bracamontes

From: Varoujan DerSimonian <tourdefresno@yahoo.com>
Sent: Wednesday, August 28, 2019 1:47 PM
To: JVB@CityofOrangeCove.com
Cc: DB@CityofOrangeCove.com
Subject: Tour de Fresno - Sat. Sept. 21, 2019

June Bracamonte

City Clerk, Orange Cove

JVB@CityofOrangeCove.com

559.626.4488. Ex 214

Greetings June!

The 11th Annual Tour de Fresno bike ride is scheduled to take place on Saturday, September 21, 2019.

As you may know, the Fresno COG is one of the sponsors of the ride, along with other Fresno County Cities who provide rest stops to the cyclist riding through your respective cities.

I would like to extend my appreciation to you and City of Orange Cove for providing a rest stop to the cyclist during previous Tour de Fresno bike ride, and ask you to consider hosting this year again. A rest stop could be set on Center St. / Jacobs St. by the City Hall, very much like previous years.

Our goal is to promote the cities within the Fresno County. And it is up to each city to highlight their hospitality. In that regards, cyclists who had participated in Tour de Fresno, have appreciated your gesture of providing freshly squeezed orange juice! They talk about it with their friends upon their return. On behalf of the cyclist, I thank you for your kindness!

For your scheduling purposes, please note that the cyclist may start arriving sometime after 8:30 am until 11:00 am. Hence, you may consider informing the volunteers that they it will be much appreciated if they could spend about 3 hours passing cold water, fruits and snacks to the riders.

All the ride information, including the route options are posted on our website. Also, if you could please take some pictures of cyclists stopping by your rest stop and share them with us, we will be happy to share them on our Facebook Site for other cyclist to see, encouraging them to join us in the future.

With sincere appreciation

Varoujan Der Simonian

Tour de Fresno
Housed at UC Center
550 E. Shaw Ave Suite #130
Fresno, CA 93710



Horchata with Hurtado!

Join **Senator Melissa Hurtado** for some cookies and horchata in Orange Cove. Come and share your thoughts on legislation and issues affecting the community.

Senator Hurtado and her team will be available to answer questions and share how the district office can be of service to you.

¡Horchata con Hurtado!

Acompáñeme y disfrute de unas galletas y horchata en Orange Cove. Venga y comparta sus ideas sobre legislación y temas que afectan a la comunidad.

La Senadora y su equipo estarán disponibles para contestar preguntas y compartir lo que su oficina puede hacer para usted.

Friday, September 27, 2019
viernes, 27 de septiembre, 2019

12 – 1:30 pm
Orange Cove Community Center
1705 S. Anchor Ave., Orange Cove

For more information or to **RSVP**, please contact the District Office at 559.264.3070 or at SENATOR.HURTADO@SENATE.CA.GOV.

Para más información o para confirmar su asistencia, por favor de contactar a la oficina del distrito al 559.264.3070 o SENATOR.HURTADO@SENATE.CA.GOV.

. Villagomez, Jacob [mailto:Jacob.Villagomez@sen.ca.gov]
Date: Tuesday, August 27, 2019 12:55 PM
To: vnava@cityoforangecove.com
Cc: rudy@cityoforangecove.com
Subject: 9/29 Community Center Use-Horchata Con Hurtado

Veronica,

Per our conversation, our office would like to book the community center for 12pm-1pm on Friday September 27, 2019.

Our office will host an event called Horchata Con Hurtado, which is a meeting series where the Senator comes and does meets and greets with residents, constituents and those interested.

Please let us know how we can make this possible, and we'd like to extend the invitation to the Council and Mayor as well.

Respectfully,

Jacob



STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Rudy Hernandez, Interim City Manager
DATE: September 11, 2019
SUBJECT: Results of Polling Survey for possible Public Safety Measure

BACKGROUND

As discussed during the 2018-19 budget hearings, the City is in dire need to generate revenues to cover general fund expenditures. The City's General Fund has been operating at a loss for more than (10) ten years and has been surviving on one-time insurance proceeds. Operating losses have been reduced to a deficit of approximately **(\$300,000)** as reported in our FY 2018-19 preliminary budget. To erase this operating deficit, the City Council directed staff to sell land that belongs to the General Fund. Please note this is a one (1) time revenue source.

City staff has been attempting to identify additional sources of revenue to close the budget deficit. Staff has hired consultants to look at increasing various fees, to bring those more in line with neighboring cities; and to provide a rate study to review water and wastewater rates to make sure that revenues are appropriately covering operation and maintenance costs, as well as complying with loan covenants from the USDA.

The Interim City Manager also contacted Albert Peché of A. M. Peché & Associates LLC, the City's Financial Advisor, and Gene Bregman of Gene Bregman & Associates, to see if there was support for another parcel tax. These consultants helped the City in 2014 develop a range of tax rates that were tested in a voter survey to see if there was voter support for a parcel tax. This resulted in Measure O being placed on the November 2014 ballot which was approved by 67.57% of the voters (two-thirds was required for passage).

Measure O had different tax rates for different land uses. For single family parcels, the tax rate was \$95 with other rates for other land use parcels. The City receives about one-half the Measure O annual tax revenue in January and the other half of the annual revenue in April. Through a Memorandum of Understanding between the City and the Orange Cove Fire District the City receives 80% of the tax revenue received and the Fire District receives 20%. The City received \$257,210 from Measure O in 2017-18. Measure O was approved for 10 years and is set to expire in five years in 2024.

At the request of the Interim City Manager, on May 8, 2019, Mr. Peché made a presentation to the City Council about the feasibility of having another voter approved public safety parcel tax enacted to close the budgetary gap. As with the preliminary work done to determine if Measure O was feasible, Mr. Peché said that a successful voter approved tax initiative began with a survey of likely voters. The survey scientifically polls random voters about what initiatives and tax amounts voters would support. This information is crucial to structuring a tax initiative that would be supported by 2/3rds of voters. Any new parcel tax would be an additional tax to Measure O and would also expire in 2024.

The City Council approved agreements with Peché & Associates LLC and with Gene Bregman & Associates to undertake a new parcel tax analysis and voter survey. In June and July Mr. Peché and Mr. Bregman worked with City Staff to develop potential tax rates and a new voter survey. The voter survey was completed in mid-August and the survey was given to likely registered voters and was available in both English and Spanish. Gene Bregman will make a presentation to the Council on the results of the survey.

RECOMMENDATION:

Staff recommends the City Council discuss the results of the polling survey and provide staff with direction.

FISCAL IMPACT:

None.

Prepared by: Rudy Hernandez

Approved by: 

REVIEW: City Manager: R.H.

Finance: _____ City Attorney: _____

TYPE OF ITEM:

COUNCIL ACTION: APPROVED DENIED NO ACTION

_____ Consent

_____ Public Hearing

_____ Info Item

_____ Matter Initiated by a Council Member

x Action Item

_____ Other

_____ Department Report

_____ Continued to: _____

_____ Redevelopment Agency

CITY OF ORANGE COVE

FACILITY USE APPLICATION

This application form is to be filled out and returned to the Orange Cove City Hall with all appropriate material and signatures prior to the City Manager's approval. (Note: if an organization is making application please note the position of the individual making application such as, President, Chairman etc.).

Please review all the attached documents for Fee Schedules and regulations and sign where needed.

(PLEASE PRINT)

NAME/ORGANIZATION: Cabañas Restaurant

REPRESENTATIVE: _____

MAILING ADDRESS: 1000 Park Blvd

CITY: Orange Cove ZIP: 93646

CONTACT PHONE: (559) 859-3485

DATE(S) OF USE: ~~9-14-19~~ 9-21-19 M.D

NATURE OF USE: Mexican Rodeo

TIME OF USE: FROM 2:00 AM/PM TO 11:59 AM/PM (NOTE: HOURS OF OPERATION SHALL NOT EXCEED 12:00 MIDNIGHT UNLESS APPROVED BY THE CITY MANAGER AND THE CITY COUNCIL)

SET UP/DECORATING DATE ⁹⁻²⁰ 8-10 TIME: FROM 8 TO 10 M.D

EXPECTED ATTENDANCE: 1,000

City of Orange Cove
633 6th Street
Orange Cove, CA 93646

Noted

City of Orange Cove

SOUND AMPLIFICATION

The City Ordinance regulates noise within the City Limits (Chapter 12.08.010-12.08-080).

The Ambient Noise has been determined:

| <u>DISTRICT</u> | <u>TIME</u> | <u>SOUND LEVEL DECIBLES</u> |
|-----------------|--------------|-----------------------------|
| Residential | 10pm to 7 am | 50 |
| Residential | 7am to 10 pm | 55 |
| Commercial | 10pm to 7 am | 60 |
| Commercial | 7am to 10 pm | 70 |
| Industrial | anytime | 75 |

APPLICATION

The Police Chief shall within five (5) working days either approve or disapprove of this application

(Print)

Name of Owner and Operator: Angela Diaz

Address: 1000 Park Blvd Orange Cove, CA 93646

Contact Phone: (559) 859-3485

General description of sound amplifying equipment to be used: Professional Sound System

Dates and Times to be used: 9-^m19 8-10 AM 9-^m19 2pm-11:59pm

Purpose for which sound equipment is to be used: professional sound system.

ORDINANCE NO. 387

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE AMENDING TITLE 8 OF THE ORANGE COVE MUNICIPAL CODE PERTAINING TO PROHIBITION OF SMOKING BY THE AMENDMENT OF CHAPTER 8.32 AND PROVIDING FOR THE PUBLICATION, ENACTMENT AND EFFECTIVE DATE THEREOF

WHEREAS, the development and mass marketing of electronic cigarettes and vaping has resulted in the marketing of potential harmful products; and

WHEREAS, the City Council of the City of Orange Cove has determined it is in the best interests of the residents and the children of Orange Cove to further regulate the City's prohibition of smoking in City areas by expanding the definition of smoking to include these new products; and,

NOW, THEREFORE, the City Council of the City of Orange Cove does hereby ordain as follows:

SECTION I: Title 8 of the Orange Cove Municipal Code is hereby amended by the amendment of Chapter 8.32, and, as amended, shall read as follows:

Chapter 8.32

SMOKING PROHIBITION

8.32.010. Smoking prohibited in city buildings, vehicles and recreation areas.

- (a) For the purpose of "smoke" or "smoking" see definitions in Section 8.32.030.
- (b) Smoke or smoking is prohibited inside all city buildings, vehicles and recreation areas at all times. "City buildings" includes but is not limited to the following named facilities; Orange Cove City Hall, Police Station, Fire Department, Transit Center, Public Works, Waste Water, Community Center, Senior Center, Feinstein Park and Recreation Center, Sportsplex, Community Services Department, Corporation Yard buildings and all other buildings and facilities owned or operated by the city. "City vehicles" means all motor vehicles owned or operated by the city, including but not limited to police vehicles, fire vehicles, ambulances and all other vehicles owned by the city. "City recreation areas" means all city parks owned or operated by the city, including but not limited to future parks and public places.
- (c) The city manager or his or her designee shall be responsible for posting "no smoking" signs in all city-owned or operated buildings governed by this section.

8.32.020. Prohibition of smoking and use of tobacco products in city facilities, vehicles and on city recreation areas.

- (a) Findings. The City Council finds and declares as follows:

- (1) The City believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make.
 - (2) Reliable studies have shown that breathing second-hand smoke is a significant health hazard for certain population groups, including elderly people, children, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease. Tobacco use causes death and disease and continues to be an urgent public health challenge.
 - (3) Exposure to secondhand smoke occurs at significant levels outdoors. The California Air Resources Board placed secondhand smoke in the same category as the most toxic automotive and industrial air pollutants by categorizing it as a toxic air contaminant. The U.S. Surgeon General has concluded that there is no risk-free level of exposure to secondhand smoke.
 - (4) Medical studies have shown that health hazards induced by breathing secondhand smoke include lung cancer, respiratory infection, decreased exercise tolerance, decreased respiratory function, bronchoconstriction, and bronchospasm.
 - (5) Smoking and tobacco use in the proximity of children and adults engaged in activities in recreation areas is detrimental to their health and can be offensive to those using such facilities.
 - (6) Cigarette butts and packaging are often discarded on the ground, creating additional maintenance expenses, diminished beauty of the City's recreational facilities, and pose a risk to toddlers due to ingestion.
 - (7) Community youth groups have determined that the prohibition of tobacco use at the City's recreational facilities serves to protect the health, safety, and welfare of the citizens in our City.
 - (8) Smokeless tobacco is not a safe alternative to smoking and causes its own share of death and disease. It is associated with oral, esophageal, and pancreatic cancers and with increased risk for heart disease and stroke, stillbirth and preterm delivery, and Parkinson's disease.
 - (9) State law prohibits smoking within 25 feet of playgrounds and tot lots and expressly authorizes local communities to enact additional restrictions.
- (b) Intent. It is the intent of the City Council, in enacting this ordinance, to provide for the public health, safety, and welfare by discouraging the inherently dangerous behavior of smoking and tobacco use around non-tobacco users, especially children; by protecting the public from exposure to secondhand smoke where they live, work, and play; by reducing the potential for children to wrongly associate smoking and tobacco use with a healthy lifestyle; and by affirming and promoting a healthy environment in the City.

8.32.030. Definitions:

For the purpose of this Chapter, certain words and terms are defined as follows:

- (a) "Electronic Smoking Device" means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, including any component, part, or accessory of such a device. whether or not sold separately. "Electronic Smoking Device" includes

any such device, whether manufactured and/or distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.

- (b) "Recreational Area" means any area including streets and sidewalks owned, controlled or used by the City and open to the general public for recreational purposes, regardless of any fee or age requirement. The term "Recreational Area" includes but is not limited to parks, picnic areas, playgrounds, sports fields, playgrounds, sports fields, walking paths, gardens, bike paths, golf courses, swimming pools and skateboard parks.
- (c) "Smoke" means the gases, particles, or vapors released into the air as a result of combustion, electrical ignition, or vaporization, when the apparent or usual purpose of the combustion, electrical ignition, or vaporization is human inhalation of the byproducts, except when the combusting or vaporizing material contains no tobacco or nicotine *and* the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term "Smoke" includes, but is not limited to, tobacco smoke, Electronic Smoking Device vapors, marijuana smoke, and crack cocaine smoke.
- (d) "Smoking" means inhaling, exhaling, burning, using or carrying any lighted, heated, or ignited cigar, cigarette of any kind, cigarillo, pipe, hookah, Electronic Smoking Device, marijuana, or any plant product intended for human inhalation.
- (e) "Tobacco Product" means any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether Smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff and Electronic Smoking Devices. "Tobacco Product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

8.32.040. Prohibition of Smoking and Tobacco Product Use.

Smoking and the use of Tobacco Products is prohibited in all Recreational Areas, City Vehicles and City Facilities. Pursuant to CA state law, Health and Safety sections 11362.3 and 11362.79, cannabis smoking is prohibited where tobacco smoking is prohibited

8.32.050. Tobacco Product Sale and Distribution Prohibited.

- (a) No person shall sell, offer for sale, or exchange, or offer for exchange for any form of consideration tobacco products in any City Recreational Area, City Vehicles or City Facilities.
- (b) No person shall engage in the non-sale distribution of any tobacco product in City recreational Areas, City Vehicles or City Facilities.

8.32.060. Disposal of Smoking or Tobacco Product.

No person shall dispose of used Smoking or Tobacco Product waste within the boundaries of an area in which Smoking or Tobacco Product use is prohibited

8.32.070. Signage. The city manager or his or her designees shall be responsible for posting "no smoking" signs in all recreation areas.

SECTION II: If any section, sub-section, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. City Council hereby declares that it would have adopted the ordinance and each section, sub-section, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, or portions to be declared invalid or unconstitutional.

SECTION III: The City Clerk is authorized to cause this ordinance or a summary of this ordinance to be published in a newspaper of general circulation in the City of Orange Cove, within fifteen days after its adoption. If a summary of the ordinance is published, the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted at City Hall at least five days prior to the meeting at which the ordinance is adopted and again after the meeting at which it is adopted. The ordinance shall become effective thirty days after its adoption.

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The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orange Cove held on September 11, 2019 and was passed and adopted at a regular meeting of the City Council held on September 28, 2019 , by the following vote:

AYES:

NOES:

ABSENT:

MAYOR OF THE CITY OF ORANGE COVE

ATTEST:

CITY CLERK