

**IMPORTANT NOTICE REGARDING  
CITY OF ORANGE COVE PUBLIC MEETINGS  
COUNCIL MEETING – JUNE 10, 2020 AT 6:30 P.M.  
TELECONFERENCE**

Based upon recommendations from the CDC regarding social distancing relative to COVID-19 (coronavirus) and in accordance with the applicable provisions of Executive Orders N-25-20 and N-29-20 issued by Governor Newsom ("EO"), all public meetings will be held via teleconference. The City will have available a free call-in conference call number for those who wish to listen and/or provide public comment during the public comment period of the agenda or on a specific agenda item.

Those wishing to join via call-in conference should call (US): (888) 204-5987 (Access Code: 8166599#). If you are intending to comment, we are asking you to please contact City Clerk June V. Bracamontes in advance of the meeting at [jvb@cityoforange Cove.com](mailto:jvb@cityoforange Cove.com), or by calling 559-393-3931. We are asking those to pre-register so that we can keep the meeting orderly, given everyone will be non-visible. There will still be time to provide public comment should you not pre-register. We will be asking all those interested to please call in 5 minutes prior to the regular meeting start time and keep their telephones on "mute" unless speaking during the public comment portion of the agenda or speaking on a specific agenda item after the Mayor requests public comment on the specific agenda item. If you would like to comment, please say your name clearly for the record.

If you need any special assistance or have questions please contact City Clerk June V. Bracamontes at [jvb@cityoforange Cove.com](mailto:jvb@cityoforange Cove.com), or by calling 559-393-3931.

For continual updates regarding COVID-19, visit the city's website at [cityoforange Cove.com](http://cityoforange Cove.com).



## **AGENDA**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**

**Roy Rodriguez, Council Member**

**Josie Cervantes, Council Member**

**Esperanza Rodriguez, Council Member**

**WEDNESDAY, June 10, 2020 - 6:30 P.M.**

### **TELECONFERENCE**

**(CALL 888-204-5987 ACCESS CODE 8166599#)**

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

Roll Call

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

#### **C. Consent Calendar**

1. Council Minutes of May 27, 2020
2. Apostolic Faith Tabernacle #1 and #2 Retail Fireworks  
Location 1000 Park Blvd and Lot 5-10 Park Blvd, Orange Cove, CA

#### **D. Administration**

##### **City Engineer**

3. **SUBJECT:** Presentation of monthly project update by City Engineer Alfonso Manrique.

**Recommendation:** Informational Item Only

4. **SUBJECT:** Resolution Authorizing the Interim City Manager to Execute the Program Supplement No. F017 to Administering Agency-State Agreement for the Federal-Aid Project No. 06-5301F15 and Authorize the Interim City Manager to Act on Behalf of the City of Orange Cove

**Recommendation:** Council to consider approving Resolution 2020-17 Authorizing the Interim City Manager to Execute the Program Supplement No. F017 to Administering Agency-State Agreement for the Federal-Aid Project No. 06-5301F15 and Authorize the Interim City Manager to Act on Behalf of the City of Orange Cove

**Chief of Police:**

5. **SUBJECT:** Monthly Statistic, Police Department, and Animal Control Activity Report presented by Chief of Police, Marty Rivera

**Recommendation:** Informational Item Only

**Director of Building and Development Services:**

6. **SUBJECT:** Resolution regarding the contract to design, build and install the Sierra View Shopping Center Sign

**Recommendation:** Council to consider approving Resolution No. 2020-18 Approving the contract to design, build and install the Sequoia View Shopping Center Sign

**Interim City Manager:**

7. **SUBJECT: PUBLIC HEARING:** 16-CDBG-11143 Closeout

**Recommendation:** Council to direct staff to submit final reports and closeout package to the State

8. **SUBJECT:** Review and Discussion of Fiscal Impact on Utility Billing Cash Flows from Corona Virus

**Recommendation:** Informational Item Only

9. **SUBJECT:** Discussion and Consideration of Water and Sewer Rate increases as per Resolution 2018-02 approved on January 10, 2018

**Recommendation:** Council to discuss and consider Water and Sewer rate increases and provide Staff direction

**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 Report**

10. **SUBJECT:** Resolution regarding election services

**Recommendation:** Council to consider approving Resolution No. 2020-15 Consenting to Consolidation of Elections; and setting Specifications of the Election Order and requesting the Fresno County Supervisors permit the County Registrar of Voters to Render specified services to the City

## **H. City Council Communications**

## **I. Closed Session:**

**NOTICE DUE TO THE COVID-19 PANDEMIC AND UNDER THE EXECUTIVE ORDERS, THE COUNCIL WILL BE IN CLOSED SESSION REGARDING THE FOLLOWING ITEM, AND, THE MAYOR WILL ASKED ALL MEMBERS OF THE PUBLIC AND OTHERS NOT INVOLVED IN THE CLOSED SESSION TO DISCONNECT FROM THE TELLECONFERENCE. AFTER CLOSED SESSION, THE MAYOR WILL ANNOUNCE ANY ACTION BOTH THEN AND AT THE START OF THE NEXT REGULARLY SCHEDULED COUNCIL MEETING.**

11. Closed Session re Initiation of litigation pursuant to [paragraph \(4\) of subdivision \(d\) of Section 54956.9](#): (One Case)

## **J. Adjournment**

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

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

## **STATEMENT ON RULES OF DECORUM AND ENFORCEMENT**

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the City Council has the right to

exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

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

### **GENERAL RULES OF DECORUM**

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

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

### **ENFORCEMENT OF DECORUM RULES**

(Resolution No. 2012-16)

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

The Mayor or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Mayor or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the Mayor or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the Mayor or presiding officer may direct the City Manager to contact law enforcement.

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





## MINUTES

Victor P. Lopez, Mayor

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

Josie Cervantes, Council Member  
Esperanza Rodriguez, Council Member

WEDNESDAY, May 27, 2020 - 6:30 P.M.

### TELECONFERENCE

(CALL 888-204-5987 ACCESS CODE 8166599#)

#### 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

#### B. Confirmation of Agenda No changes

#### C. Consent Calendar

1. Council Minutes of May 13, 2020

Upon the motion by Councilman Rodriguez and seconded by Mayor Pro Tem Silva, the Consent Calendar was approved as presented.

Yes: Lopez, Silva, Rodriguez, Rodriguez  
No: None  
Absent: Cervantes  
Abstain: None

## **D. Administration**

### **City Engineer**

2. **SUBJECT:** Update on the AHSC Grant Proposed Project Improvements Figure 1 and Figure 2

Upon the motion by Councilman Rodriguez and seconded by Mayor Pro Tem Silva, Council approved the AHSC Grant Improvements for the bike trail and sidewalk as presented.

Yes: Lopez, Silva, Rodriguez, Rodriguez  
No: None  
Absent: Cervantes  
Abstain: None

### **Chief of Police:**

3. **SUBJECT:** Update report on Covid - 19

**Recommendation:** Informational Item Only

Chief of Police gave an update report for the Covid-19 within Fresno County and currently Orange Cove has 73 that has been tested positive.

United Health Center is testing for Covid-19 at no cost by appointment only.

Update on businesses re-opening in Orange Cove and place of worship at 25% capacity.

School District still working on a plan to reopen

### **Director of Building and Development Services:**

4. **SUBJECT:** Update on the Amaya Apartment Project

**Recommendation:** Informational Item Only

Ray Hoak presented the following regarding the Amaya Apartment Project:

- Aerial progress pictures.
- 10 buildings total. 9 Apartment buildings (80 units). 1 Community building
- 24 – Two-bedroom apartments
- 41 – Three-bedroom apartments
- 16 – Four-bedroom apartments.



- Wall framing has begun on buildings 2,3,5
- Foundation poured for building 4,9 & community building

**Interim City Manager:**

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

**Recommendation:** Informational Item Only

Presentation by Interim City Manager Rudy Hernandez as follows:

- Impact on City and County. 90% of lay off. Asking for Federal Government for assistance to the city, being optimistic.
- Businesses are re-opening, and in the next couple of years will be in a recession right now very difficult. City, Counties are reaching out for Federal Government should know by next month in June.
- Currently not shutting off water; Discussion regarding Property Taxes; and the Status on Preparation of FY 2020-21 Budget

Mayor concern about Pena Disposal. What is the percentage of residence not paying their bill? Per Interim City Manager Rudy Hernandez, the Stimulus Bill has helped the residents.

Mayor requested staff to make a report to Council at the next meeting regarding the percentage of residents not paying Pena Disposal.

**6. SUBJECT:** No Cost Corona Virus Testing

**Recommendation:** Information Item Only

Chief of Police presented this item during his presentation.

**E. Public Forum**

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**F. City Manager's Report**

None.

**G. City Council Communications**

None.

**H. Adjournment**

**Mayor Lopez adjourned the Council Meeting at 7:30 p.m.**

Respectfully Submitted:

\_\_\_\_\_  
June V. Bracamontes, City Clerk  
City of Orange Cove

PRESENTED TO COUNCIL:

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

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



DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
RETAIL FIREWORKS LICENSE APPLICATION  
FWX-15 (REV. 12/18)

Page 1 of 1

Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". Applications must be received prior to June 15<sup>th</sup> of the current year.

Office of State Fire Marshal  
2251 Harvard Street, Suite 400  
Sacramento, CA 95815  
(916) 568-2943

**LICENSEE INFORMATION**

Name (First, Last):	Apostolic Faith Tabernacle #1	Phone Number:	(559) 459-0610
Mailing Address (Street Address, City, CA, Zip):	2777 E. Malaga Ave, Fresno, CA 93725		
Local Contact Person and Phone Number (if different from Licensee above):	Greg Van Souda		

**STAND INFORMATION**

Physical Address (Street Address, City, CA, Zip):	1000 Park Blvd, Orange Cove, CA
County of Stand Location:	Fresno

**WHOLESALE FIREWORK VENDOR INFORMATION**

Business Name:	Phantom Fireworks	License No.:	W-0576
Contact Name:	Dyane Gonder	Phone Number:	(559) 441-5190

**FIRE AUTHORITY HAVING JURISDICTION**

Fire Department:	Orange Cove Fire Dept
Physical Address (Street Address, City, CA, Zip):	550 Center St. Orange Cove, CA 93646



Signature of Fire Authority Having Jurisdiction

Date

Signature of Retail Booth Applicant

Date 7-6-20

**-NOTICE-**

**COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT**

A validated license has been issued to this organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28<sup>th</sup> to NOON, July 6<sup>th</sup>, of the year indicated. **NOTE:** Retail licensees are required to be at least 21 years of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/27/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> 216-658-7100 <b>FAX (A/C, No):</b> 216-658-7101 <b>E-MAIL:</b> info@brittongallagher.com <b>ADDRESS:</b> info@brittongallagher.com														
<b>INSURED</b> Phantom Fireworks Western Region, LLC 2445 Belmont Avenue Youngstown OH 44505	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Everest Indemnity Insurance Co.</td><td>10851</td></tr><tr><td>INSURER B: Axis Surplus Ins Company</td><td>26620</td></tr><tr><td>INSURER C: Berkshire Hathaway Homestate Insurance Company</td><td></td></tr><tr><td>INSURER D: Everest Denali Insurance Company</td><td>16044</td></tr><tr><td>INSURER E: Arch Specialty Ins Co</td><td>21199</td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Everest Indemnity Insurance Co.	10851	INSURER B: Axis Surplus Ins Company	26620	INSURER C: Berkshire Hathaway Homestate Insurance Company		INSURER D: Everest Denali Insurance Company	16044	INSURER E: Arch Specialty Ins Co	21199	INSURER F:	
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**COVERAGES**

CERTIFICATE NUMBER: 788450496

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Non-owned Stand <input type="checkbox"/> Endt Included GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	SIG0100643-191	10/30/2019	10/30/2020 EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 \$
D	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	SIRCA00095-191	10/30/2019	10/30/2020 COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
E	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			UXP0057739-05	10/30/2019	10/30/2020 EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
C	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	PHWC023923	10/30/2019	10/30/2020 <input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Excess Liability #2	Y	Y	P-401-000046165-02	10/30/2019	10/30/2020 Each Occ/Aggregate Total Limits \$5,000,000 \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Products Liability extends only to the products purchased from Phantom Fireworks Western Region, LLC.

The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions and exclusions.

Location: 1000 Park Blvd, Orange Cove, CA. Property Owner: Eroy Heinrichs. Additional Insured: The City of Orange Cove, its officers, agents, employees, property owner and volunteers working in full capacity. Municipality: City of Orange Cove / County of Fresno

**CERTIFICATE HOLDER****CANCELLATION**

Apostolic Faith Tabernacle #1  
c/o Rick Applegarth  
P.O. Box 181  
Orange Cove CA 93646

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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TO: CITY CLERK  
LOCAL FIRE AGENCY  
AND / OR OTHER INTERESTED PARTIES

PROPERTY PERMISSION USE

TO WHOM IT MAY CONCERN:

THE UNDERSIGNED, OWNER AND / OR CONTROLLING PARTY, OF THE PROPERTY LISTED BELOW  
HEREBY  
GRANTS PERMISSION TO:

Apostolic Faith Tabernacle #1

AND PHANTOM FIREWORKS INC., THE USE OF THE PROPERTY LOCATED AT:

1000 Park Blvd.

APN: \_\_\_\_\_

CITY OF: Orange Cove

COUNTY OF: Fresno

FOR THEIR 2020 FIREWORKS SEASON.

THE ORGANIZATION AND / OR PHANTOM FIREWORKS INC., AGREE TO SEE THAT THE PROPERTY  
LISTED ABOVE WILL BE CLEARED OF ALL STANDS AND REFUSE WITHIN 5 DAYS OF CLOSE OF  
THE SEASON.

Ercy Heinrichs  
NAME - PLEASE PRINT

[Signature]  
SIGNATURE

(PROPERTY OWNER/CONTROLLER OF PROPERTY)

DATED: 4-1 2020

AT Orange Cove, CA.

PROPERTY OWNER: PLEASE INDICATE BELOW THE NAME OF THE ADDITIONAL INSURED AND HOW  
YOU WISH YOUR CERTIFICATE OF INSURANCE TO READ.

ADDITIONAL  
INSURED: \_\_\_\_\_

CERTIFICATE OF INSURANCE TO BE MAILED TO: Ercy Heinrichs  
1053 Flora Ave.  
Reedley, CA 93654

CERTIFICATE OF INSURANCE WILL BE MAILED PRIOR TO ERECTING OF STANDS AND THE SALE OF  
ANY MERCHANDISE.

PHANTOM FIREWORKS, INC.  
2351 TENAYA DRIVE  
MODESTO, CA 95368  
1-800-733-7771

INFORMATION VIDEO OF QUALITY ACTION  
SELLER'S PERMIT



7/28/80 SF 107 6/5/80

PAULSS. BARBANS  
APOSTOLIC FAITH TABERNACLE  
1000 PARK BLVD  
DUNWOODY, GA 30034

FOR GENERAL TAX QUESTIONS PLEASE TELEPHONE OUR INFORMATION CENTER AT 1-800-400-4000

Apostolic Faith Tabernacle  
1 + 2





DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
RETAIL FIREWORKS LICENSE APPLICATION  
FWX-15 (REV. 12/18)

Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". Applications must be received prior to June 15<sup>th</sup> of the current year.

Office of State Fire Marshal  
2251 Harvard Street, Suite 400  
Sacramento, CA 95815  
(916) 568-2943

**LICENSEE INFORMATION**

Name (First, Last):	Apdystolic Faith Tabernacle #2	Phone Number:	(559) 459-0610
Mailing Address (Street Address, City, CA, Zip):	2777 E. MALAGA AVE, FRESNO, CA 93725		
Local Contact Person and Phone Number (if different from Licensee above):	Greg Van Scoyoc		

**STAND INFORMATION**

Physical Address (Street Address, City, CA, Zip):	Lot 6-1D PARK BLVD, ORANGE COVE, CA
County of Stand Location:	FRESNO

**WHOLESALE FIREWORK VENDOR INFORMATION**

Business Name:	Phantom Fireworks	License No.:	W-0524
Contact Name:	Phyllis Conder	Phone Number:	(209) 441-5180

**FIRE AUTHORITY HAVING JURISDICTION**

Fire Department:	Orange Cove Fire Dept
Physical Address (Street Address, City, CA, Zip):	550 Center ST. Orange Cove, CA, 93646



Signature of Fire Authority Having Jurisdiction

Date

Signature of Retail Booth Applicant

Date

**-NOTICE-**

**COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT**

A validated license has been issued to this organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28<sup>th</sup> to NOON, July 6<sup>th</sup>, of the year indicated. **NOTE:** Retail licensees are required to be at least 21 years of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/27/2020

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT</b> NAME PHONE (A/C, No. Ext): 216-668-7100 FAX (A/C, No): 216-668-7101 E-MAIL ADDRESS: info@brittongallagher.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Phantom Fireworks Western Region, LLC 2445 Belmont Avenue Youngstown OH 44505	<b>INSURER A:</b> Everest Indemnity Insurance Co.	<b>NAIC #</b> 10861
	<b>INSURER B:</b> Axis Surplus Ins Company	28620
	<b>INSURER C:</b> Berkshire Hathaway Homestate Insurance Company	
	<b>INSURER D:</b> Everest Denali Insurance Company	18044
	<b>INSURER E:</b> Arch Specialty Ins Co	21199
	<b>INSURER F:</b>	

**COVERAGES**

CERTIFICATE NUMBER: 2120866108

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Non-owned Stand <input type="checkbox"/> Endt/Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	SIBGL00843-191	10/30/2019	10/30/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
D	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	SIBCA00068-191	10/30/2019	10/30/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
E	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTIONS \$			UXP0057738-05	10/30/2019	10/30/2020	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
C	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	PHWC023923	10/30/2019	10/30/2020	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	<b>Excess Liability #2</b>	Y	Y	P-091-000046155-02	10/30/2019	10/30/2020	Each Occ/Aggregate Total Limits \$5,000,000 \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Products Liability extends only to the products purchased from Phantom Fireworks Western Region, LLC.

The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions and exclusions.

Location: Lot 5-10 Park Blvd, Orange Cove, CA. Property Owner: Francisco Figureora. Additional Insured: The City of Orange Cove, its officers, agents, employees, property owner and volunteers working in full capacity. Municipality: City of Orange Cove / County of Fresno

**CERTIFICATE HOLDER****CANCELLATION**

Apostolic Faith Tabernacle #2  
c/o Rick Applegarth  
P.O. Box 181  
Orange Cove CA 93464

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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TO: CITY CLERK  
LOCAL FIRE AGENCY  
AND / OR OTHER INTERESTED PARTIES

PROPERTY PERMISSION USE

TO WHOM IT MAY CONCERN:

THE UNDERSIGNED, OWNER AND / OR CONTROLLING PARTY, OF THE PROPERTY LISTED  
BELOW HEREBY  
GRANTS PERMISSION TO:

Apostolic Faith Tabernacle #2

AND PHANTOM FIREWORKS INC., THE USE OF THE PROPERTY LOCATED AT:

Lot 5-10 Park Blvd.

APN: \_\_\_\_\_

CITY OF: Orange Cove

COUNTY OF: Fresno

FOR THEIR 2020 FIREWORKS SEASON.

THE ORGANIZATION AND / OR PHANTOM FIREWORKS INC., AGREE TO SEE THAT THE  
PROPERTY LISTED  
ABOVE WILL BE CLEARED OF ALL STANDS AND REFUSE WITHIN 5 DAYS OF CLOSE OF THE  
SEASON.

Francisco Figueroa

NAME - PLEASE PRINT  
(PROPERTY OWNER/CONTROLLER OF PROPERTY)

  
SIGNATURE

DATED: 4-1 2020 AT Orange Cove CA.

PROPERTY OWNER: PLEASE INDICATE BELOW THE NAME OF THE ADDITIONAL INSURED AND  
HOW YOU  
WISH YOUR CERTIFICATE OF INSURANCE TO READ.

ADDITIONAL  
INSURED: \_\_\_\_\_

CERTIFICATE OF INSURANCE TO BE MAILED TO: Francisco Figueroa

140 6th St.

Orange Cove, CA 93646

PHONE: (559) 676-7635

CERTIFICATE OF INSURANCE WILL BE MAILED PRIOR TO ERECTING OF STANDS AND THE SALE  
OF ANY  
MERCHANDISE.

PHANTOM FIREWORKS, INC.  
2351 TENAYA DRIVE  
MODESTO, CA 95356  
1-800-733-7771

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## ENGINEER'S REPORT

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**TO:** CITY COUNCIL  
**FROM:** ALFONSO MANRIQUE, PE  
AM CONSULTING ENGINEERS, INC.  
**SUBJECT:** PROJECT PROGRESS UPDATE  
**DATE:** JUNE 10, 2020

---

This Engineer's Report provides an update on the progress made on the various projects since May 13, 2020 that we are currently working on:

1. FHWA Projects

- a. Adams Avenue Reconstruction (Between Friant Kern Canal to South Hills Valley Road and Between Center Avenue to 4<sup>th</sup> Street).

This project is currently under construction. AJ Excavation has paved both sections of the roadway, completed the utility adjustments and installed the AC berms. The project is on schedule and the estimated date of completion is July 2<sup>nd</sup>. No change orders have been issued for either projects.

2. Water Enterprise

- a. Friant Kern Canal Shut Down - Water Storage Basin and HDPE Liner Project

This project is currently under construction. Cal Valley Construction has graded and compacted the slopes and bottom floor of the basins, installed the interconnecting pipes and outfall structure pipes, poured the concrete outfall structures slabs and access ramps. The installation of the HDPE liner is scheduled to begin on June 23<sup>rd</sup>. Cal Valley Construction estimates that the project will be complete by the beginning of September.

- b. Water Treatment Plant Improvements

AMCE is recommending that City Council authorize the City Interim Manager to use development impact fees from the Water Fund to pay for the screen replacement. AMCE estimates that the replacement will cost approximately \$250,000. The authorizing resolution is included in tonight's meeting agenda.

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

The City's application is currently under legal review. Once legal review is complete, the EDA will then have to wait for the grant to be announced, which can take one to two months. Once announced, the EDA will be able to send the award to the City.

4. Purchase of Street Sweeper

AMCE has prepared a Request for Proposal (RFP) for the purchase of a CNG street sweeper. The RFP was sent out to three builder exchanges on June 1<sup>st</sup> to be advertised. Proposals must be submitted to City Hall by July 8<sup>th</sup> at 2 pm.


5. USDA Emergency Community Water Assistance Grant

AMCE has prepared and submitted a Draft Preliminary Engineering Report to the USDA for the Emergency Community Water Assistance Grant (ECWAG). The ECWAG application is intended to purchase 378 acre-feet of additional surface water to supplement the City's current allocation and construct an additional backwash reclaim tank and sludge dewatering box that will allow the City to satisfy the deficit between its current surface water allocation from USBR and the anticipated demand. The reclaim system will decrease the likelihood of needing to purchase additional surface water in future years if the City's allocation is reduced due to drought. The estimated total project costs is \$987,186.



## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Alfonso Manrique, City Engineer 

**Subject:** Resolution Authorizing the Interim City Manager to Execute the Program Supplement No. F017 to Administering Agency-State Agreement for the Federal-Aid Project No. 06-5301F15 and Authorize the Interim City Manager to Act on Behalf of the City of Orange Cove

**Attachments:** Resolution No. 2020-17  
Program Supplement No. F017

### **RECOMMENDATION:**

Staff recommends that the City Council adopt the attached Resolution authorizing the Interim City Manager to Execute the Program Supplement No. F017 to Administering Agency-State Agreement No. for the Federal-Aid Project No. 06-5301F15 for the E. Railroad Ave Culvert Replacement Project (Federal Project No. RSTPL-5301(023)), and to authorize the Interim City Manager to act on behalf of the City of Orange Cove.

### **BACKGROUND:**

The City has received Regional Surface Transportation Program (Local) (RSTPL) funds for the E. Railroad Ave Culvert Replacement Project (Project). The Project involves replacing existing culverts, paving, and installing a storm drain. The City has received the Authorization to Proceed with Preliminary Engineering and Caltrans has sent the Program Supplemental Agreement No. F017 for execution.

The State of California, acting through Caltrans, is administering the STPL funds. These funds

Prepared by: AM Consulting Engineers

Approved by: Alfonso Manrique

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

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

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

### **TYPE OF ITEM:**

**COUNCIL ACTION:** ☐ APPROVED ☐ DENIED ☐ NO ACTION

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

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



will be paid to the City of Orange Cove pursuant to the provisions of the Administering Agency-State Agreement for Federal-Aid Projects No. 06-5301F15. To receive funds for the Project, the City must execute a supplemental agreement that identifies the specific project and any special conditions. The State requires that the City to adopt a resolution that clearly identifies the Project and the official authorized to execute the agreement.

The attached Resolution authorizes the Interim City Manager to execute Program Supplement Agreement No. F017 and to act on behalf of the City of Orange Cove. Adoption of the Resolution will allow the City to invoice expenses for the preliminary engineering phase of the Project.

**FISCAL IMPACT:**

The project is funded by a combination of Federal and local funds. The total estimated cost for the preliminary engineering phase of the Project is \$12,000. Adoption of the proposed resolution secures \$10,600 of Federal funds with a required local match of \$1,400.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2020- 17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE PROGRAM  
SUPPLEMENT NO. F017 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR  
THE FEDERAL-AID PROJECT NO. 06-5301F15 AND AUTHORIZE THE INTERIM CITY  
MANAGER TO ACT ON BEHALF OF THE CITY OF ORANGE COVE

WHEREAS, the City of Orange Cove, has received a request from the Department of Transportation to enter into a Program Supplemental Agreement No. F017 to Administering Agency-State Agreement for Federal-Aid Projects No. 06-5301F15; and

WHEREAS, the City Council does hereby accept and will comply with the special covenants or remarks set forth in the agreement; and

WHEREAS, the City Council authorizes the Interim City Manager to execute Program Supplemental Agreement No. F017 and to act on behalf of the City of Orange Cove.

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

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. The Interim City Manager is hereby authorized and directed to execute Program Supplemental Agreement No. F017 and to act on behalf of the City of Orange Cove.
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.

This resolution was adopted at a Regular Meeting of the City Council of the City of Orange Cove held on June 10<sup>th</sup>, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Victor P. Lopez, Mayor

ATTEST:

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June Bracamontes, City Clerk

## **POLICE DEPARTMENT MONTHLY REPORT**

**June 10, 2020**

**Staff levels** remain the same. Due to COVID Sheltering, we are getting lots more Domestic Violence, Mental Health, Vandalism and petty theft calls.

**Animal Shelter...** Is running very well. Dogs are being picked up and adopted. Some are returned to owners and others sent to other shelters. Very few are being euthanized. Report attached.

**Events:** Numerous events regarding school graduations were held in May. SROs participated in all of them.

**Homeland Security Grant:** Two MDTs were purchased. We will get some reimbursement from the grant, the other will be paid for by OCPPD.

**BSCC Grant** ( Board of State and Community Corrections )....The plan to take 100 students to the Museum of Tolerance was cancelled and will be rescheduled in the future.

**COPS Grant:** On June 2<sup>nd</sup> the recipients were announced. We were not selected. Only Mendota, Huron and Parlier were selected from Fresno County.

**Vehicles** One of the SUVs was converted so it can be used as a K-9 Vehicle. OCPPD has agreed to pay for the conversion costs.

A replacement vehicle was obtained using money from the fees paid by the Amaya project. Equipment was ordered at Cooks Communication and will be installed when it arrives. OCPPD has previously indicated they will pay for it.

**Covid 19:** Stats will be given at the council meeting.

All city businesses were allowed to open with county guidelines being observed. Nail Salons and sport activities will not be approved until we move to Phase 3.

Churches can only be opened at 25 % capacity or 100 persons max. Lots of them choose to remain closed and are using zoom for services.

Testing is going on at United Health Center on 11<sup>th</sup> street. Anyone can go and get tested at no cost. In the last 3 months they have tested 240 persons. They now average 20 a day, mostly OC residents with a few from Squaw Valley.

### **Protests and Rioting**

I am being updated three times a day in regards to intelligence as to what is happening everywhere. Including any pending threats.

Protests are continuing Nation Wide due to the incident in Minneapolis. Locally all the protests in Clovis and Fresno have been peaceful with police presence and good co-operation with the protesters. A Target store in Clovis was looted several days ago by about 15 subjects. A Cigarette Store also had a couple of subjects steal around 400 Scratchers.

There have been some online threats encouraging protesters to loot stores and shoot police officers. Stores in Fresno such as Best Buy, Target, and others have been suggested as targets. Several stores in River Park chose to board up their windows.

Nationwide several police officers have been shot. Mutual Aid has been requested by several cities in the State. Currently the Sheriff's Office has officers in San Francisco and they have requested additional assistance through Saturday Night.



# ORANGE COVE POLICE DEPARTMENT

## MAY 2020 MONTHLY STATISTICS

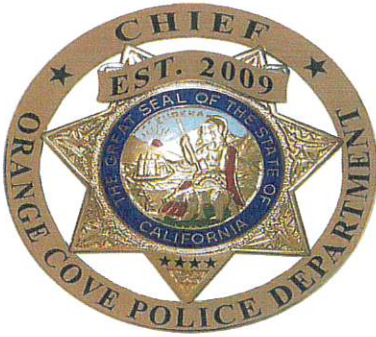
CHIEF OF POLICE - MARTY RIVERA



PART 1 CRIMES						
		APRIL	MAY	%	YTD	YTD
		2020	2020	Change	2019	2020
	Homicide	0	0	0%	0	0
	Rape	0	0	0%	0	0
	Attempted Murder	0	0	0%	0	0
	Robbery	0	0	0%	1	2
	Assault	2	0	-100%	2	4
	Burglary	2	1	-50%	12	5
	Grand Theft Auto	2	3	50%	8	11
	<b>Total Part 1 Crimes</b>	<b>6</b>	<b>4</b>	<b>-33%</b>	<b>23</b>	<b>22</b>
		APRIL	MAY	%	YTD	YTD
		2020	2020	Change	2019	2020
	Sex Crimes	0	3	300%	4	7
	Narcotics	1	3	200%	16	13
	Child Abuse	0	0	0%	5	1
	<b>Total Part 2 Crimes</b>	<b>1</b>	<b>6</b>	<b>500%</b>	<b>25</b>	<b>21</b>
		APRIL	MAY	%	YTD	YTD
		2020	2020	Change	2019	2020
	Total Traffic Collisions	2	1	-50%	25	13
	Fatalities	0	0	0%	0	0
	Injury	0	0	0%	2	0
	Non Injury	0	1	100%	15	5
	Hit & Run	2	0	-100%	8	8
ENFORCEMENT STATISTICS						
		APRIL	MAY	%	YTD	YTD
		2020	2020	Change	2019	2020
	Total Traffic Citations	30	22	-27%	189	131
	Total Vehicle Stops	82	63	-23%	736	449
	Seatbelt Violations	0	1	100%	6	4
	Unsafe Speed Violations	2	1	-50%	3	6
	Fail To Obey Stop Sign/Light	2	6	200%	43	26
	Driving Under the Influence	1	3	200%	11	5
	Gang Arrests - Felony	0	0	0%	6	0
	Gang Arrests - Misdemeanor	0	0	0%	2	0
	Gang Field Interview Cards	2	3	50%	14	12
	Juvenile Detentions/Arrests	1	0	-100%	6	5
	Adult Arrests	5	7	40%	125	43



		APRIL	MAY	%	YTD	YTD
		2020	2020	Change	2019	2020
	5150	3	6	100%	11	22
	Agency Assist	3	10	233%	57	39
	Battery	1	1	0%	6	4
	Evading/Obstructing Officer	0	1	100%	3	6
	Fraud	1	0	-100%	6	4
	Identity Theft	0	0	0%	3	1
	Spousal Abuse	9	7	-22%	24	34
	Graffiti/Vandalism	3	3	0%	17	23
	Veh. Burglaries	0	3	300%	1	4
	General Incidents	16	19	19%	88	78
	Weapons Confiscated	1	1	0%	9	3
	Petty Theft	3	3	0%	17	26
	Public Intoxication	1	0	-100%	1	4
	Suspended License	1	1	0%	7	10
	Unlicensed Drivers	6	5	-17%	55	38
	Vehicles Towed	8	10	25%	62	36
	Vehicles Released	6	6	0%	28	20
	Case Number Drawn	124	115	-7%	718	664



**Marty Rivera**  
Chief of Police

## ORANGE COVE ANIMAL CONTROL STATISTICAL ACTIVITY REPORT

**MONTH:** MAY

**OFFICER:** R. DIAZ

BITE REPORTS	1- Dog on Dog / 1- Dog on Person
PRIOR MONTH STRAYS	1 In shelter from April 21
STRAY DOGS	10 Picked up in May
EUTHANIZED DOGS	1-Injured/Sick dog
ADOPTED DOGS	
RESCUED DOGS	5 In May
INJURED STRAY DOGS	
ANIMAL CRUELTY INVESTIGATIONS	
RELEASED DOGS TO OWNER	2
CITATIONS ISSUED	1
QUARANTINED DOGS	2-In home
OTHER ANIMAL	
MISC	
DOGS IN SHELTER	3 Left from May



For the Meeting of: June 10, 2020

## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Ray Hoak, Building & Planning Dept.

**Subject:** Resolution 2020-18 Approving the Contract to Design, Build and Install the Sequoia View Shopping Center Sign

**Attachments:** Resolution 2020-18 and Pylon Sign Design.

### **RECOMMENDATION:**

Staff recommends that the City Council approve the attached Resolution No. 2020-18 awarding the contract to USS United Sign in the amount of \$35,392.28 for the design, build and installation of the Sequoia View Shopping Center Pylon Sign.

### **EXECUTIVE SUMMARY:**

The property at the City's newest commercial development containing three national retail businesses is without a pylon sign identifying the new shopping center by name. Three requests for bids were solicited for the design, manufacture and installation for an illuminated 'Sequoia View Shopping Center' pylon sign.

Prepared by: Ray Hoak

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

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

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

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

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#### **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: \_\_\_\_\_

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**BACKGROUND:**

Without a name to identify the City's newest retail development, the City Council commissioned the middle school students of Orange Cove to bring forward names for the new shopping center. Sequoia View Shopping Center was chosen as the name for the new development. Three bids were solicited for an illuminated pylon sign requiring that a 'Sequoia View' theme be incorporated into the design of the sign. USS United Sign Systems submitted the lowest bid at \$35,392.28.

The pylon sign will be installed on the Burger King property in the landscaped area in front of the restaurant near the northwest corner of Anchor and Park. The Sequoia View sign will be located at the top of the sign pole with the Burger King sign below.

Mr. Amir Saheblzamany, the Burger King owner, has approved the sign design (Exhibit A) and has given permission to the City to install the sign on his property in the landscape area in front of the restaurant. In consideration for the use of the property the owner requests that no other signs be attached to the pylon sign without the owner's permission.

The Sequoia View sign is an LED illuminated sign and it is necessary that a new dedicated electrical source is installed to power the signs lighting. New wiring will be installed from the restaurants interior panel box and pulled through existing and new underground conduit terminating at the base of the sign in a Christy box. A timer will be installed next to the interior panel box to control the signs lighting hours. The cost estimate from W&E Electric Company to provide the labor and materials to install the new sign circuit is \$5,320.00.

**REASON FOR RECOMMENDATION:**

Council has requested that the Sequoia View Shopping Center property be identified by installing an illuminated pylon sign. Three sign bids were requested for the design, build and installation with the lowest bid from USS United Sign Systems.

**FISCAL IMPACT:**

The cost of designing, and to build and install the illuminated pylon sign is \$35,392.28 and the cost to provide the additional electrical supply necessary to power the sign is \$5,320.00. The costs will be paid out of the general fund.

**ALTERNATIVES:**

The council may deny the resolution to award the contract to build the sign.

**ACTIONS FOLLOWING APPROVAL:**

The City Manager is authorized to sign the construction contract to build the pylon sign. After the sign is installed W&E Electric will install and connect the new electrical circuit to the sign lighting.

**CONFLICT OF INTEREST:**

None.



**Exhibit A**

**SIGN A**

**One (1) D/F internally illuminated pylon sign**

SCALE: 3/8" = 1'

**MAIN CABINET:**

Aluminum painted white, with white flex faces and vinyl decoration.

**SMALL CABINET:**

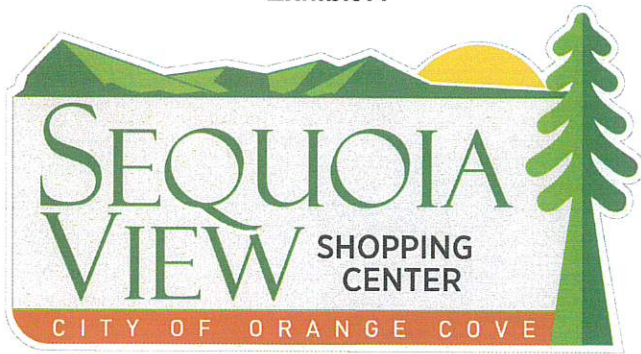
Aluminum painted white, with lexan faces and Burger King logo vinyl graphics.

**POLE:**

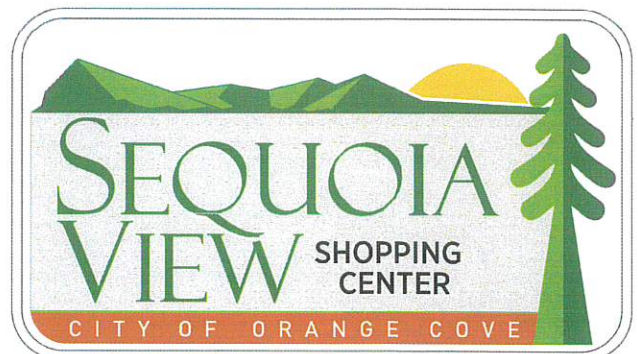
Aluminum sq. tube painted Black

<b>UNITED SIGN SYSTEMS</b> 5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326 C.S.C. # 718965 DESIGN MANUFACTURING INSTALLATION MAINTENANCE	<b>JOB INFO</b> JOB #: CLIENT: SEQUOIA VIEW CONTACT: DATE: 12-09-19 PROJECT LOCATION: NWC, Anchor and Park Orange Cove, CA SALESPERSON: DAVID RANDOLPH DRAWN BY: GN PAGE 1 OF 2 CLIENT APPROVAL _____ DATE _____ LANDLORD APPROVAL _____ DATE _____	<b>FILE</b> REVISIONS: SCALE: NOTED FILE NAME: Sequoia View	<b>ELECT.</b> 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other: one box above MUST be tracked prior to any wfg.	<b>SPECIFICATIONS</b> See Drawing for Specifications
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Exhibit A



\$35,392



\$29,795



## Exhibit A



SITE PLAN

<b>USS UNITED SIGN SYSTEMS</b> 5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326 C.S.C.L. # 718965 DESIGN MANUFACTURING INSTALLATION MAINTENANCE	<b>JOB INFO</b> JOB #: _____ CLIENT: SEQUOIA VIEW CONTACT: _____ DATE: 12-09-19 PROJECT LOCATION: NWC, Anchor and Park Orange Cove, CA SALESPERSON: DAVID RANDOLPH DRAWN BY: GN PAGE 2 OF 2 CLIENT APPROVAL _____ DATE _____ LANDLORD APPROVAL _____ DATE _____	<b>FILE</b> REVISIONS: _____ SCALE: NOTED FILE NAME: Sequoia View	<b>ELECT.</b> 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/> See drawing above MUST be checked prior to any sign	<b>SPECIFICATIONS</b> See Drawing for Specifications
			See Drawing for Specifications	

## RESOLUTION No. 2020-18

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ACCEPTING THE BID FOR THE DESIGN, CONSTRUCTION AND INSTALLATION OF THE SEQUOIA VIEW SHOPPING CENTER PYLON SIGN AT THE NORTHWEST CORNER OF ANCHOR STREET AND PARK BOULEVARD

WHEREAS, Orange Cove's newest commercial development contains a Burger King Restaurant, a General Dollar Store and an Auto Zone Parts Store; and

WHEREAS, the new development is without a sign identifying the name of the new shopping center; and

WHEREAS, the Orange Cove City Council commissioned the middle school students of Orange Cove to bring forward a list of names for the shopping center; and

WHEREAS, after review by the Orange Cove City Council, the chosen name of the shopping center submitted by Melissa Miramontes shall be known as the 'Sequoia View Shopping Center'; and

WHEREAS, the City of Orange Cove, on March 16, 2020 solicited three requests for bids for the design, manufacture and installation of the Sequoia View Shopping Center Pylon Sign to be installed at the northwest corner of Anchor Avenue and Park Boulevard; and

WHEREAS, on April 10, 2020 at 5pm the following bids were received by the Orange Cove Building and Planning Department;

<u>Contractor</u>	<u>Bid</u>
USS United Sign	\$35,392.28
CNI Signmakers	No Response
CA Sign Co.	No Response

WHEREAS, the Building and Planning Department estimate was \$25,000.00 to \$40,000.00; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE COVE RESOLVES upon the recommendation of the Director of Planning and Development that a contract for the design, manufacture and installation of the Sequoia View Shopping Center Pylon Sign be awarded to United Sign, in the amount of Thirty Five Thousand Three Hundred Ninety Two Dollars and Twenty Eight Cents (\$35,392.28), and that the City Manager is authorized to sign the Construction Agreement on behalf of the City.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Orange Cove held on the 10th day of June, 2020, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

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Victor Lopez, Mayor

ATTEST:

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June Bracamontes, City Clerk

## STAFF REPORT

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TO: Mayor and Council Members  
FROM: Rudy Hernandez, Interim City Manager  
DATE: June 10, 2020  
SUBJECT: 16-CDBG-11143 Closeout and Public Hearing

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### RECOMMENDATION

- Open Public Hearing
- Receive Public Comment(s)
- Close Public Hearing.
- Direct staff to submit final reports and closeout package to the State

### HISTORY

In 2016, the City received \$225,000 from CDBG under the General Allocation NOFA. The State allows for these funds to be expended and projects to be completed within a 36-month contract term. The following projects were completed with these funds:

- Code Enforcement Program

The Program has been completed and exhausted all grant funds. The grant will now be closed out with the State.

The City is required to hold a public hearing to discuss the grant accomplishments and submit a closeout certification to the State. Upon direction from the Council, staff will submit the final closeout package to CDBG.

### DISCUSSION

The City has utilized CDBG funds many times in the past and continues to do so. The funds received are 100% grant funds and have been critical in assisting the City complete various projects in the City.

The City utilized the grant funds to pay for an outside firm to conduct code enforcement activities throughout the low income block groups in the City in an effort to curb neighborhood deterioration.

### FISCAL IMPACT

The CDBG funds of \$225,000 were 100% grant funded and all dollars available were spent and drawn down from the State that were needed.

**\*PUBLIC HEARING REQUIRED\***

## Grantee Letter Head

### Closeout Certification Form

State of California, Dept. of Housing & Community Development  
Attn: CDBG Program – Robert Jones, CDBG Representative  
Department of Housing and Community Development  
2020 West El Camino Avenue, Suite 200  
Sacramento, CA 95833

RE: CLOSEOUT CERTIFICATION of CDBG Grant No. 16-CDBG-11143

It is hereby certified that all activities undertaken by the Grantee with funds provided under the above grant agreement have, to the best of my knowledge, been carried out in accordance with the grant agreement; that proper provision has been made by the Grantee for the payment of all costs and claims; that the State of California is under no obligation to make further payment to the Grantee under the grant agreement; and that every statement and amounts set forth in the **attached** final CDBG Financial and Accomplishment Report is, to the best of my knowledge, true and correct.

Any property acquired in whole or in part with CDBG funds or CDBG Program Income shall be accounted for in accordance with the provisions of Section 7118 and 7104 of the State CDBG regulations pertaining to property management and program income. Please list any property acquired in whole or in part with grant funds or program income expended for the grant or, if applicable, state "none" acquired. Please see Chapter 19, Property Management, in the Grants Management Manual for more detailed instructions. Note: Future disposition of this property shall be carried out in accordance with Section 7118 of the State CDBG Regulations. Please see CFR 24 Sec. 570.505 Use of real property for instructions.

1.	NONE	4.	
2.		5.	
3.		6.	

The Grantee shall continue to comply with the State CDBG program income reporting requirements.

All costs incurred subsequent to the most recent annual audit period will be audited at the time the Grantee's next annual audit is conducted in accordance with OMB Circular A-133. The Grantee will resolve any audit findings relating to both the program and financial aspects of the grant. In the event there are any costs which are disallowed by this audit or any subsequent audits which cover CDBG expenditures, and which are sustained by the Department of Housing and Community Development, the amount of such costs shall be returned to HCD.

Date:	Typed Name and Title of Authorized Grantee Representative: Name: Rudy Hernandez Title: Interim City Manager	Signature of Authorized Grantee Representative:
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# Mid-Valley Times

1130 G Street

Reedley CA

(559) 638-2244

(Space below for use of County Clerk only)

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

Notice of Public Hearing:

Code Enforcement Program

### STATE OF CALIFORNIA

County of Fresno

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the MID-VALLEY TIMES a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of July 4, 2019, Case Number 19CECG01981; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 21, 2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

on May 21, 2020

*Katherine J. Lade*

### CITY OF ORANGE COVE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Orange Cove will conduct a Public Hearing on June 10, 2020 at 6:30pm in the City Council Chambers located at 633 Sixth Street, Orange Cove. At the time of this publication, it is anticipated that this Council meeting and public hearing will be held via teleconference due to COVID-19 social distancing requirements.

The purpose of this hearing is to review and approve the accomplishments that were produced from the City's 16 CDBG 11143 Agreement with the State of California and to solicit citizen input regarding the outcome and accomplishments of the funding received under this contract. The City was awarded \$225,000 to carry out the following Code Enforcement Program:

Citizens will be given the opportunity to make their comments known and questions answered related to the grant listed above. If you are unable to attend the Public Hearing, you may direct written comments to the City Clerk's Office, City Hall, 633 Sixth Street, Orange Cove, CA 93646. In addition, public information files for these projects may be reviewed at City Hall between 8:30 A.M. and 5:00 P.M., Monday through Friday. If you plan on attending the public hearing and need a special accommodation because of a sensory or mobility impairment/disability, please contact the City at (559) 393-3931 to arrange for those accommodations to be made.

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 physical disabilities.

### AVISO DE AUDIENCIA PUBLICA DE LA CIUDAD DE ORANGE COVE

SE DA AVISO QUE el Consejo de la Ciudad de la Ciudad de Orange Cove llevara a cabo una Audiencia Publica el 10 de junio de 2020 a las 6:30pm en las Camaras del Consejo de la Ciudad ubicadas en 633 Sixth Street, Orange Cove. Al momento de esta publicacion, se anticipa que esta reunion del Consejo y audiencia publica se llevara a cabo por teleconferencia debido a los regulitos de distanciamiento social de COVID-19.

El proposito de esta audiencia es revisar y aprobar los logros que se obtuvieron del Acuerdo 16 CDBG 11143 de la Ciudad con el Estado de California y solicitar la opinion de los ciudadanos sobre el resultado y los logros de los fondos recibidos en virtud de este contrato. La Ciudad recibio \$225,000 para llevar a cabo lo siguiente: Programa de Aplicacion delCodigo.

Los ciudadanos tendran la oportunidad de dar a conocer sus comentarios y responder preguntas relacionadas con la subvencion mencionada anteriormente. Si no puede asistir a la Audiencia Publica, puede enviar comentarios por escrito a la Oficina del Secretario de la Ciudad, Ayuntamiento, 633 Sixth Street, Orange Cove, CA 93646. Ademas, los archivos de informacion publica para estos proyectos pueden revisarse en el Ayuntamiento entre 08:30 AM y 5:00 p.m., de lunes a viernes.

Si planea asistir a la audiencia publica y necesita una adaptacion especial debido a un impedimento o discapacidad, sena o estado de movilidad, comuniquese con la Ciudad al (559) 393-3931 para coordinar la realizacion de esas adaptaciones.

La Ciudad de Orange Cove promueve la vivienda justa y pone todos sus programas a disposicion de las familias de ingresos bajos y moderados, independientemente de su edad, raza, color, religion, sexo, origen nacional, preferencia sexual, estado civil o discapacidades fisicas.

May 21, 2020



**Date:** June 10, 2020  
**To:** Mayor and City Council  
**From:** Rudy Hernandez, Interim City Manager  
**Subject:** Review and Discussion of Fiscal Impact on Utility Billing Cash Flows from Corona Virus.  
**Attachments:** E-mail From Curt Richardson from MOMS regarding Utility Billing Cash Flows.

**BACKGROUND:**

At the last City Council meeting held on Wednesday May 27, 2020, the City Council requested a report on how much of a negative fiscal impact is the Corona Virus having on the cash flows from utility billing. To respond to this request, staff analyzed the period from January 2020 thru May 2020 to determine the fiscal impact.

Based on staff's analysis, staff determined the average monthly cash flows from utility billing are about **\$260,000**. After the City suspended the water shut off policy (No water service being shut off due to non-payment), the monthly cash flow for March 2020 was around **\$171,000** which was (260,000 – 171,000) **\$89,000** below the average. However, in April 2020 when the stimulus checks were given by the Federal Government, the amount increased by (364,031 – 260,000) **\$104,031** above the average. May 2020 utility billing cash flows are close to **\$260,000**. **Bottom-line**, despite the water shut off policy being suspended (No water shut offs), generally speaking, our residents have continued to pay their utility bill. Furthermore, staff will continue to monitor the cash flows from utility billing cash flows.

To get a second opinion on staff's analysis, staff contacted Curt Richardson from MOMS accounting software and he also drew the same conclusion as City staff regarding the fiscal impact from CoronaVirus. His words were **"Surprisingly, there has been no noticeable decline in cash received during this time to the end of May 2020"**.

**RECOMMENDATION:**

For Information Only.

**FISCAL IMPACT:**

None.

Prepared by: Rudy Hernandez

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: \_\_\_\_\_



**rafael@cityoforange Cove.com**

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**From:** rafa el@cityoforange Cove.com  
**Sent:** Friday, June 05, 2020 8:25 AM  
**To:** 'Rafael Herrera'  
**Subject:** FW: RE COVID 19 AND Utility Billing A/R

**From:** Curt Richardson <curtrd@yahoo.com>  
**Sent:** Thursday, June 04, 2020 4:26 PM  
**To:** Rafael Herrera <rafael@cityoforange Cove.com>  
**Subject:** RE COVID 19 AND Utility Billing A/R

To whom it may concern,

I have thoroughly examined the Utility Billing per request to see how much, or if COVID 19 has affected the cash flow in over this crisis time.

I examined total billed compared to total cash collected for the period of 01-20 through 05-20 as well.

Surprisingly, there has been no noticeable decline in cash received during this time to the end of May 2020.

I would recommend that we check again what happens in June and July as well before we assume it has had or will not have had any effect at all that we can tell.

Curt Richardson  
CWS lead programmer/analyst  
510-979-5600

# TUTTLE & McCLOSKEY

750 East Bullard Avenue, Suite 101  
Fresno, California 93710  
(559) 437-1770  
FAX: (559) 437-0150

TO: Honorable Mayor Lopez and Council Members  
FROM: Daniel T. McCloskey, City Attorney  
DATE: June 2, 2020  
RE: Resolution regarding election services

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The City has contracted with the Fresno County Registrar of Voters to have Fresno County conduct the municipal election to be held November 3, 2020. The City Council has two council seats open for four year terms. The council member's terms that are expiring are Diana and Hope. The nomination period starts July 13, 2020 and closes on August 7, 2020 and completed should be filed with the City Clerk according to Registrar.

Traditionally, the County requires the Council to take formal action to request consolidation of the city's municipal with the general election. The resolution before you tonight is to request the consolidation of the election, approve payment to the County for election services and delineates the election services and the other parameters around candidate's statements, payment of statement costs, polling hours and request to canvas the ballots and run the election, including the collection and counting of the ballots.

## RECOMMENDATION:

It is staff's recommendation that the Council consider, pass and adopt the attached resolution requesting the consolidation and election services from Fresno County.

If you have any questions, please let me know.



**Date:** June 10, 2020  
**To:** Mayor and City Council  
**From:** Rudy Hernandez, Interim City Manager  
**Subject:** Implementation of Water and Sewer Rate Increases As  
Approved On January 10, 2018 under Resolution No.2018-02.  
Effective Date of Water and Sewer Rate Increases shall be  
June 1, 2020 with first billing in July 2020.

**Attachments:** Resolution No. 2018-02 and Related Staff Report.

**BACKGROUND:**

On January 10, 2018, the City Council adopted Resolution No.2018-02. As per Exhibit A in Resolution 2018-02, the City adopted a four (4) year plan to increase water and sewer rates which covers the period from February 1, 2018 to February 1, 2021 (See attached Exhibit A). The water/sewer revenue increase will allow for those systems to be properly maintained and operated. In addition, the water/sewer rate increases will help address the USDA Debt Service requirements.

Although Exhibit A shows the water and sewer rate increases to take effect February 1, 2019, the rate increases will not take effect until June 1, 2020 (If approved by Council). For your review, I have attached a copy of the staff report and resolution 2018-02 dated January 10, 2018.

Per Resolution 2018-02, the City has increased water and sewer rates for the last 2 years. The next increase was going to take effect April 1, 2020 with the first billing in May 2020. However, due to the CoronaVirus situation, staff has decided to get council direction first before proceeding with any rate increases.

**RECOMMENDATION:**

For the City Council to discuss and consider water and sewer rate increases and provide staff with direction.

**FISCAL IMPACT:**

The increased water and sewer rates will increase revenue to the Water and Sewer enterprise funds to allow for those systems to be properly maintained and operated. In addition, the water/sewer rate increases will help address the USDA Debt Service requirements. Without the rate increases, the City will not be in compliance with the USDA Water/Sewer Reserve requirements and will not be eligible to borrow any USDA Funds to pay for City Projects.

Prepared by: Rudy Hernandez

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

RESOLUTION NO. 2018-

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,  
IMPLEMENTING INCREASED WATER AND SEWER RATES

WHEREAS, the City Council of the City of Orange Cove adopted Resolution 2014-06 Ratifying the Proposition 218 Process and Adopting Increased Water Rates and Sewer Rates on February 6, 2014 to become effective July 1, 2015; and

WHEREAS, the increased water and sewer rates adopted by Resolution 2014-06 contained annual increases for three successive years following the implementation of the increased rates; and

WHEREAS, the increased water and sewer rates adopted by Resolution 2014-06 require the measurement of water usage by water meters; and

WHEREAS, the construction project to install new meters for all services connected to the City of Orange Cove water system was completed and accepted by the City Council on June 14, 2017; and

WHEREAS, without the new water meters it was impractical to implement the new sewer and water rates.

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

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. The Council finds that all of the determinations adopted by Resolution 2014-06 are still valid.
3. The Council ratifies the adoption of the Monthly Water Rates and Monthly Sewer Rates as set forth in Exhibit A which is attached and incorporated as if fully set forth in this Resolution. The City shall commence charging the rates in Exhibit A on February 1, 2018 and increase the rates as shown in the successive years ending with a final increase on February 1, 2021.
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 January 10, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Victor P. Lopez, Mayor

ATTEST:

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June Bracamontes, City Clerk

## EXHIBIT A

### Orange Cove Monthly Water Rates

	Feb. 1, 2018	Feb. 1, 2019	Feb. 1, 2020	Feb. 1, 2021
Residential, per unit (Up to 10,000 gallons per unit)	\$40.51	\$44.52	\$48.53	\$52.53
Usage (per 1,000 gallons or fraction thereof above 10,000)	\$2.21	\$2.21	\$2.21	\$2.21
<b>COMMERCIAL AND INDUSTRIAL</b>				
5/8" x 3/4" Meter	\$48.89	\$61.27	\$73.66	\$86.04
3/4" x 3/4" Meter	\$51.56	\$64.63	\$77.69	\$90.76
1" Meter	\$56.92	\$71.34	\$85.76	\$100.18
1 1/2" Meter	\$73.66	\$92.33	\$110.99	\$129.65
2" Meter	\$100.45	\$125.90	\$151.35	\$176.80
3" Meter	\$160.72	\$201.44	\$242.15	\$282.87
4" Meter	\$227.68	\$285.37	\$343.05	\$400.74
6" Meter	\$281.26	\$352.51	\$423.77	\$495.03
Usage (per 1,000 gallons or fraction thereof above 10,000)	\$2.21	\$2.21	\$2.21	\$2.21

### Orange Cove Monthly Sewer Rates

	Feb. 1, 2018	Feb. 1, 2019	Feb. 1, 2020	Feb. 1, 2021
Residential, per unit (up to 10,000 gallons)	\$29.33	\$34.46	\$39.60	\$44.73
Usage (per 1,000 gallons or fraction thereof above 10,000)	\$1.32	\$1.32	\$1.32	\$1.32
<b>COMMERCIAL AND INDUSTRIAL</b>				
5/8" x 3/4" Meter	\$43.24	\$62.29	\$81.33	\$100.37
3/4" x 3/4" Meter	\$44.62	\$65.03	\$85.45	\$105.87
1" Meter	\$47.37	\$70.53	\$93.70	\$116.87
1 1/2" Meter	\$55.96	\$87.72	\$119.48	\$151.24
2" Meter	\$69.71	\$115.22	\$160.73	\$206.24
3" Meter	\$100.65	\$177.09	\$253.54	\$329.98
4" Meter	\$135.02	\$245.84	\$356.66	\$467.48
6" Meter	\$162.52	\$300.84	\$439.15	\$577.47
Usage (per 1,000 gallons or fraction thereof above 10,000)	\$1.32	\$1.32	\$1.32	\$1.32

Sewer volume usage based on water meter readings.



For the Meeting of: January 10, 2018  
Agenda Item No.:

## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council  
From: Gary D. Horn, City Engineer  
Subject: Implementation of New Water and Sewer Rates  
Attachments: Tables, Graph and Resolution

### RECOMMENDATION:

Council adopt the attached resolution implementing increased monthly water and sewer rates previously adopted by Resolution 2014-06 to become effective February 1, 2018 and annual increases until the final increase becomes effective on February 1, 2021.

### EXECUTIVE SUMMARY:

The City Council adopted increased water and sewer rates that include a charge for usage over 10,000 gallons per month. The new rates were to become effective July 1, 2015. The installation of the new water meters, the software to electronically read the meters and create monthly utility bills took longer than expected, but is now complete. Without the new meters it was impractical to start charging the new rates. This resolution will implement the previously adopted rates to begin February 1, 2018 (for bills sent out March 1) and annual increases until the final increase on February 1, 2021.

### BACKGROUND:

The City Council approved a rate study prepared by AM Consulting Engineers that proposed increased water and sewer rates with a charge for usage over 10,000 gallons per month. The City followed the requirements of Proposition 218 regarding notification of property owners, conducting a public hearing and receiving public comments. A majority protest was not received to prevent the increased rates and the new rates were adopted by Resolution 2014-06 to become effective July 1, 2015.

Prepared by: GH

Approved by: DBH

REVIEW: City Manager: DBH

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 installation of the new water meters, the software to electronically read the meters and create monthly utility bills took longer than expected, but is now complete. Without the new meters it was impractical to start charging the new rates.

With the adoption of this resolution, the rates adopted by the previous resolution will become effective February 1, 2018 and have annual increases for three additional years until the final increase on February 1, 2021.

The Council has asked for an analysis of the number of residents using more than 10,000 gallons per month. The attached table shows the number of residential units that use more than 10,000 gallons per month in increments of 1,000 gallons, up to 30,000 gallons for April through November of this year. As expected water use increased as the weather warmed up and can be summarized by 5,000 gallon increments as follows:

#### SINGLE FAMILY RESIDENTIAL WATER USAGE

USAGE	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV
Under 10,000	909	478	330	278	349	420	566	863
10,001 to 15,000	299	384	284	240	225	314	373	302
15,001 to 20,000	99	266	273	234	251	279	222	111
20,001 to 25,000	43	130	195	212	210	148	95	34
25,001 to 30,000	11	66	126	150	121	93	44	16
Over 30,000	27	69	170	264	220	112	62	30

Attached to this report is a table that shows the breakdown by 1,000 gallon increments and the respective new water and sewer charges. It also shows the number of services which reported leaks in the residence for July and August. It is noteworthy that the percentage of services with leaks increases from about 15% at under 10,000 gallons usage to over 50% for those over 30,000. Also attached is a graph showing the average number of single family residential customers using between 10,000 and 30,000 gallons per month for April through November.

As expected, usage is higher in the summer months due to landscape irrigation.

Also attached is a table showing a comparison of water rates charged by neighboring city's. Orange Cove will be in the upper range of water rates. Part of the reason is the cost to purchase water from the Bureau of Reclamation and filter it, compared with the cheaper method of pumping ground water. One thing to keep in mind is that with the adoption of the Sustainable Groundwater Management Act (SGMA) additional fees may be levied on communities that pump groundwater.

The City has received, and is in the process of applying for, State Water Board grants for improvements for both the water and sewer treatment facilities. In order to qualify for grants, the state requires that the water and sewer rates be high enough to maintain a financially solvent utility system that can maintain the infrastructure being paid for by the grant, but also be at a level that is affordable for the residents. The new rates show a commitment by the community to pay for its fair share. The previously adopted rates have been submitted to the State Water Board as proof of the City's intent to maintain their infrastructure.

**REASONS FOR RECOMMENDATION:**

- The sewer and water rates need to be increased to have adequate revenue to operate and maintain the infrastructure, as shown in the previously adopted rate study.
- The current rates were adopted in 2003.
- State and Federal grant eligibility requires that rates are high enough to operate new equipment installed with grant money.
- Rates based on usage will provide an incentive to residents to conserve water, especially landscape irrigation and repair leaking faucets and toilets.

**FISCAL IMPACT:**

The increased water and sewer rates will increase revenue to the Water and Sewer Enterprise funds to allow for those systems to be properly maintained and operated.

**ALTERNATIVES:**

Council may consider other options.

**ACTIONS FOLLOWING APPROVAL:**

The increased water and sewer rates will show up on the February 1 utility bills to customers.

**CONFLICT OF INTEREST:**

None.

## **Monday, February 4, 2019 Conference call with Orange Cove and USDA**

Participants: Rudy Hernandez, Joe Estrada, Sally Tripp, Albert Reyes (Host), Albert Peché

### **Issues surrounding the Community Center**

Community Center has the following needs: Plumbing, HVAC Unit doesn't work (AC Swamp), painting, carpeting, ceiling tiles from water damage. Electrical work is good.

Alfonso Manrique is getting estimated costs. Initial estimate is for \$500,000. Part of the USDA application is a Preliminary Architectural Report from an architect. -Sally said if the City desires it can pay for both an engineer and an architect. However, the USDA requires only a Preliminary Architectural Report. An engineer is an added cost that is not required by the USDA.

Maximum grant is the lesser of \$30,000 or 55% of costs for Community Center Project. It is best for the City to apply for a Direct Loan. If the project costs come in above amount of approved USDA Loan, the City can then apply for the grant for the additional costs, up to \$30,000. City must have the ability to repay the Loan. Repayment is likely to come from the General Fund.

Current USDA loans are 4 ¼% percent for 40 years or useful life. Environmental Assessment Costs, Bond Counsel, Architect and other Costs of Issuance need to be added to loan. Since the remaining useful life of the Community Center is likely around 20 years, it might be difficult to finance it for 40 years. It is more likely to have a remaining useful life of 20 years and therefore the loan period would be 20 years.

California Consulting has worked Orange Cove for in grant funding. They should be asked to see if Orange Cove qualifies for any CDBG grants.

USDA will only consider reimbursement for those expenditures made after the USDA application has been sent in. These expenditures may or may not be approved. City should have Albert Reyes prepare a Reimbursement Resolution before upfront expenditures are made.

### **Orange Cove Compliance on USDA Loans**

City must have a plan to be in compliance with all USDA water and wastewater bonds covenants before any further USDA Loans are approved. The City is out of compliance with the following:

- USDA Debt Service Reserves
- Compliance with the coverage ratio bond covenants

City is getting information to Tuckfield & Associates necessary to complete the Revenue Sufficiency Analysis for both water and wastewater enterprises. Once this is completed and presented to the Council, Rudy will recommend a Rate Study.

**ORANGE COVE CITY COUNCIL  
RESOLUTION NO. 2020-15**

**RESOLUTION OF THE CITY COUNCIL OF CITY OF ORANGE COVE  
REQUESTING AND CONSENTING TO CONSOLIDATION OF ELECTIONS;  
AND SETTING SPECIFICATIONS OF THE ELECTION ORDER AND  
REQUESTING THE FRESNO COUNTY SUPERVISORS PERMIT THE COUNTY  
REGISTRAR OF VOTERS TO RENDER SPECIFIED SERVICES TO THE CITY**

WHEREAS, pursuant to the Elections Code, the governing body of any city may, by Resolution, request the Board of Supervisors of the county to permit the county elections official to render specified services to the city relating to the conduct of an election; and

WHEREAS, the City has ordered an election to be held within the boundaries of the city on November 3, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council and the City of Orange Cove:

The Board of Supervisors of Fresno County is hereby requested to permit the County Registrar of Voters to render services to the city relating to the conduct of the November 8, 2016 Municipal Election as follows:

**SPECIFICATIONS OF THE ELECTION ORDER**

1. The election shall be held on Tuesday, November 3, 2020 and the purpose of the election is to choose successors for the following offices:

City Council Member	November 2020 – November 2024
City Council Member	November 2020 – November 2024
2. This Council hereby requests and consents to the consolidation of the election with other elections which may be held in whole or in part of the territory of the City, as provided in Elections Code 10400.
3. The City hereby designates the hours the polls are to be kept open shall be from 7:00 am to 8:00 pm.

4. The Council will reimburse the county for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the elections official.
5. The City requests that the Registrar of Voters publish the Notice of Election in the following newspaper, which is the newspaper of general circulation that is regularly circulated in the City: Reedley Exponent.
6. The City determines that the Candidates shall pay for their own statements and the statements shall be limited to two hundred (200) words.

The City requests that the Registrar of Voters and County Elections officials perform the following services:

7. Distribute and file nomination papers and candidate statements for candidates for city offices.
8. Make all required publications.
9. Prepare, print and mail to the qualified electors of the city sample ballots and voter pamphlets.
10. Provide absent voter ballots for said Municipal Election for use by the qualified electors who may be entitled to absent voter ballots in the manner provided by law.
11. Order consolidation of precincts, appoint precinct Councils, designate polling places and instruct election officers concerning their duties.
12. Conduct and canvass the returns of the election and certify the votes cast to the city.
13. Receive and process absent voter applications.
14. Prepare, print and deliver to the polling places supplies, including the official ballots and a receipt for said supplies.
15. Recount votes, if requested, in accordance with state law.
16. Conduct the above election duties in accordance with the Voting Rights Act of 1975.

17. Perform all other pertinent services required to be performed for said election other than the requirements of the Fair Political Practices Commission; said Fair Political Practices Commission requirements to be performed by the city clerk,

The City Clerk is hereby authorized and directed to transmit certified copies of this Resolution to the Board of Supervisors and to the County Registrar of Voters.

This Resolution was passed, adopted, and approved by the City Council of the City of Orange Cove, at its meeting of June 10, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
June Bracamontes, City Clerk

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

State of California     )  
County of Fresno     )

I, June Bracamontes, City Clerk of the City of Orange Cove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of said City at a regular meeting on the 10<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
June Bracamontes, City Clerk