



## **AGENDA**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**

**Roy Rodriguez, Council Member**

**Josie Cervantes, Council Member**

**Esperanza Rodriguez, Council Member**

**WEDNESDAY, SEPTEMBER 8, 2021 - 6:30 P.M.**

**Orange Cove Council Chambers**

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

**LIVE MEETING**

**TELECONFERENCE**

**(CALL 720-740-9780 ACCESS CODE 1060550#)**

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

Roll Call

Invocation

Flag Salute

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

### **C. Consent Calendar**

1. City Council Minutes July 22, 2021
2. Agreement between SER JOB FOR PROGRESS and the City of Orange Cove

### **D. Administration**

#### **City Engineer**

3. **SUBJECT:** Monthly update report on City Projects Presented by City Engineer Alfonso Manrique.

**Recommendation:** Informational item Only

4. **SUBJECT:** Awarding Bid for the Library Rapid Flashing Beacon Project

**Recommendation:** Staff recommends that the City Council adopts the attached Resolution No. 2021- 42 awarding the construction of the Library Rapid Flashing Beacon Project to Pelagic Engineering for a total bid of \$22,732.00, approve a contingency amount of \$2,300.00, authorize the Interim City Manager to sign the Agreement on behalf of the City of Orange Cove, authorize the Interim City Manager to approve expenditures up to the contingency amount.

**Chief of Police:**

5. **SUBJECT:** Monthly Activity Report by Police Chief Marty Rivera

**Recommendation:** Informational Item Only

**Public Works Department**

6. **SUBJECT:** Monthly update report on Public Works Department by Interim Public Works Superintendent Andy Valencia

**Recommendation:** Informational Item Only

**Planning Department**

7. **SUBJECT:** Monthly update report on City Planning Items Presented by Planner Shun Patlan

**Recommendation:** Informational Item Only

**Interim City Manager:**

8. **SUBJECT:** Sitellogiq Proposal for the City of Orange Cove Energy Project

**Recommendation:** Council to discuss/review and give staff direction

9. **SUBJECT:** Financial Update

**Recommendation:** Informational Item Only

**10. SUBJECT:** Regular City Council Meeting of September 22, 2021

**Recommendation:** Staff is requesting Council to discuss either cancelling the September 22, 2021 Regular City Council Meeting or reschedule due to the League of California Annual Conference scheduled on September 22-24, 2021

**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**

**H. City Council Communications**

**I. Adjournment**

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

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



## **MINUTES SPECIAL COUNCIL MEETING**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**

**Esperanza Rodriguez, Council Member**

**Roy Rodriguez, Council Member**

**Josie Cervantes, Council Member**

**THURSDAY, JULY 22, 2021 - 5:00 P.M.**

**Orange Cove Senior Center  
699 6<sup>th</sup> Street, Orange Cove, California 93646**

### **LIVE MEETING**

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

**COUNCIL PRESENT:** Mayor Victor P. Lopez  
Mayor Pro Tem Diana Guerra Silva  
Councilmember Roy Rodriguez  
Councilmember Josie Cervantes  
Councilmember Esperanza Rodriguez

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

**Invocation** Mayor Pro Tem Silva

**Flag Salute** Mayor Lopez

#### **B. Administration:**

- 1. SUBJECT:** Review and Discussion of the Fiscal Year 2021-22 Preliminary Budget

**Recommendation:** Council to consider approving the Fiscal Year 2021-22 Budget

Financial Consultant and Interim City Manager presented to Council the Fiscal Year 2021-22 Preliminary Budget as follows:

1. Highlights of FY 2021-22 Budget
2. Proposed Revenues Versus Expenditures
3. Capital Outlay Report
4. Expenditure Summary Report
5. Review and Discussion of Revenues
11. Review and Discussion of Proposed General Fund Expenditures
  - A. City Council
  - B. City Attorney
  - C. Administration
  - D. Finance
  - E. Building Inspection and Engineering
  - F. Recreation
  - G. Public Works
  - H. Building and Parks
  - I. Victor P. Lopez Community Center
  - J. Senior Center
  - K. Animal Control
  - L. Police Department
  - M. Fire Department
12. Review and Discussion of Special Revenue Fund Expenditures
  - A. Measure C
  - B. Transportation Development Act (TDA)
  - C. Gas Tax 2106 Fund
  - D. Gas Tax 2107 Fund
  - E. Gas Tax 2107.5 Fund
  - F. Gas Tax 2105 Fund
  - G. Gas Tax 2031 (SB 1 Roads Fund)
  - H. Child Development Fund
  - I. Successor Agency
  - J. Measure O Fund
  - K. Impact Fee Funds
  - L. Wastewater Facility Debt Service Fund
13. Review and Discussion of Enterprise Funds
  - A. Water Enterprise Fund
  - B. Wastewater Enterprise Fund
  - C. Disposal Enterprise Fund
13. Review and Discussion of Capital Project Funds
  - A. Water Capital Projects Fund
  - B. Street Capital Projects
  - C. General Capital Project Fund

Conclusion:

Provide Staff with direction regarding F/Y 2021/22 Budget

Mayor Pro Tem Silva suggested that the city buy a new truck for Public Works.

Shun Patlan, Planner presented that the revenues for the impact fees which are not included in the Budget and will be receiving more with the future developments such as the Blossom Estates, Martinez, Booth Ranch, Yanez. Working on the Builders Fees to add to the Master Fee Schedule.

Angela Hall from AM Consulting elaborated on the Cal Recycle Program receiving \$5,000 and the Street Projects Phase I, Phase II Sidewalk on D Street, Phase III Bike Lines.

Rudy Hernandez addressed that in November looking to place a Utility Measure Ballot with no sunset clause at the November 2, 2021 election.

The Preliminary FY 2021-2022 Budget is in a deficit of \$362,573 and Interim City Manager and City Council will revisit the budget after further review.

No Action Taken at this time.

**2. SUBJECT:** Discussion of the American Rescue Plan Act Money

**Recommendation:** Council to approve the disbursement of the American Rescue Plan Act Money in the amount of \$5,000 to Full Time, Part Time and Reserve Employees

Staff and Council reviewed and discussed the American Rescue Plan Act in detail and Council agreed to disburse \$5,000 to full time employees, part time employees who worked 960 hours during the pandemic starting March 20, 2020 within the Fiscal Year and those who worked less than 960 will be pro-rated; and \$5,000 to reserve employees. Mayor Lopez had concerns about the prorate and feels that it does not matter how many hours a person worked during the Pandemic, they should get the full amount of \$5,000. Mayor Pro Tem Silva and Councilwoman Cervantes agreed with the Prorate

**Upon the motion by Mayor Pro Tem Silva and seconded by Councilwoman Cervantes, Council approved the American Rescue Plan Act and Council agreed to disburse \$5,000 to full time employees, part time employees who worked 960 hours during the pandemic starting March 20, 2020 within the Fiscal Year and those who worked less than 960 will be pro-rated; and to reserve employees as presented.**

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

## **C. Adjournment**

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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.



# Host Agency Agreement

Host Agency: \_\_\_\_\_ Program Year: **2021 - 2022**

**To ensure our host agency partners understand their important role in the daily lives of our participants and their responsibilities in supporting each participant's quest for an unsubsidized job, we ask that each host agency supervisor clearly understand and support the following requirements that are part of each participant's agreement with our program:**

- 1) The purpose of the SCSEP is for a participant to provide community service while they actively pursue unsubsidized employment off of the program. When an individual enrolls and/or gets a job off the program they may lose their public benefits. These benefits may include, but are not limited to: Public Housing, Food Stamps, SSI/SSD, and Medicaid.
- 2) Participants are asked to cooperate with the Project Director and project staff by:
  - Accepting referrals and interviews for employment outside the program;
  - Conducting an ongoing search for unsubsidized employment as specified in their IEP and as directed by the Project Director and/or project staff;
  - Accepting regular transfers to other host agency assignments as necessary to further their training and work experience;
  - Maintaining registration with the State Employment service and/or One Stop Center;
  - Attending job search training, job clubs, participant meetings, etc., when offered by the Project Office, and to engage in continuing unsubsidized job search activities.

Note: These activities may cause the participant to miss some hours at their host agency assignment.

- 3) The Senior Community Service Employment Program (SCSEP) is a short-term, work-training program to prepare participants for unsubsidized employment off of the program. The program is not an entitlement, nor is it designed to provide income maintenance. SCSEP participants are considered to be in training status, preparing to accept unsubsidized employment. They, and you, as the host agency supervisor, must understand and accept the training with the host agency is a short-term training opportunity, NOT a job and those participants are NOT employees of NCOA, SCSEP, or the host agency to which they are temporary assigned.
- 4) Host Agency understands that NCOA SCSEP does not conduct background checks or drug screenings. These screenings are at the sole and exclusive discretion of a Host Agency and must be in accordance with applicable law. NCOA is not financially or otherwise responsible for any costs, expenses or claims associated with background checks or drug screenings.
- 5) Host agencies must not use participants as substitutes for permanent employees in their agency. Federal regulations prohibit this violation of "maintenance of effect." Host agencies must not substitute federal dollars for local dollars. Participants are additions to, not substitutes for, regular staff.
- 6) To become and remain a Host Agency, the Host Agency agrees to have a fax machine in good working condition in order to both receive and send participant Time Attendance Reports from and to the Project site office or designated fax number. "Good working order" includes insuring that the document output settings are correct so that the fax is readable—not overly dark or overly light. Without good fax copies, NCOA SCSEP cannot scan timesheets. If NCOA SCSEP is consistently unable to scan your timesheets, NCOA SCSEP participants cannot be paid and would potentially have to be transferred to a host agency where fax machines work properly.
- 7) Host agencies agree to give serious consideration for any permanent job openings in the agency to qualified assigned participants. Failure to consider qualified participants for these job opening could be cause for termination for cause of this agreement with that participant's host agency. The Host Agency agrees to provide supervision, training, and a safe work site for each assigned participant.
- 8) The Department of Labor (DoL) now requires a survey of randomly selected Host Agencies. This survey is generally done in January. If selected, please complete the survey as it influences continued DoL funding for

# Host Agency Agreement

this grant. The DoL will make three attempts to get a completed survey from you. While the survey may have up to 20 questions, answering any five completes the survey for DoL purposes and prevents these follow-ups.

- 9) Insurance and Safety for SCSEP Participants: NCOA SCSEP will be responsible for providing workers' compensation insurance for all Participants, in accordance with state law. The Host Agency is responsible for maintaining a safe work environment for SCSEP Participants during their normal course of duties; and to ensure that proper equipment, procedures and safe practices are used in conformance with state law. NCOA has the right to coordinate safety inspections with the Host Agency to ensure that work procedures, equipment and practices are used to protect the safety of SCSEP Participants. If the Host Agency fails to adhere to reasonable safe working practices, NCOA SCSEP has the right to terminate the agreement with that agency for cause and for the protection of SCSEP Participants.

## **Fourteen key safety issues that the Host Agency must keep in mind at all times:**

1. Participants must comply with all safety rules of their Training Site.
  2. Ask their Training Site Supervisor they are unsure about any safety precautions.
  3. Keeping work areas clear of tripping hazards.
  4. Participants must never climb on ladders, step stools or other objects.
  5. Participants must use personal protective equipment (gloves, safety glasses, etc.) as required for various training assignments.
  6. Participants must only operate equipment they are qualified and authorized to operate including vehicles during working hours.
  7. Participants must follow proper lifting procedures by bending their legs & keeping their back straight.
  8. Participants do not lift loads more than 20 pounds.
  9. Participants wear shoes appropriate for the training assignment with good support.
  10. Participants do not wear open-toed shoes or high heels.
  11. Participants know where emergency exits are located.
  12. Participants immediately report safety & health hazards to their Training Site Supervisor and SCSEP staff.
  13. Participants immediately tell their Training Site Supervisor about any work related injury no matter how small.
  14. Participants immediately tell their SCSEP project staff about any work related injury no matter how small.
- 10) NCOA SCSEP is a federally funded program and as such, is required by federal regulations to maintain documentation (timesheets) to substantiate the expenditure of federal funds for wages. It is understood and agreed that NCOA SCSEP shall pay the wages of participants assigned to the host agency. The host agency agrees to verify, sign and return completed timesheets to the local SCSEP project for processing. Federal regulations also require that timesheets be signed by the individual participant and by a responsible supervisory official having firsthand knowledge of the hours worked by the participant. NCOA SCSEP recognizes that assigned supervisors change and may not always be available to sign participant timesheet. Therefore, to ensure compliance with federal regulations, in lieu of providing the names and signatures of all authorized supervisors in the Host Agency and various Training Sites (if any), by signing this Host Agency Agreement, the authorized agency representative agrees to ensure that the participant signs his/her timesheet and that a responsible supervisory official of the agency certifies that the information on the timesheet is correct. If there is a change to the authorized agency supervisor whose name is on this agreement, the local SCSEP Project Office must be notified so that the local SCSEP Project Office can update the information in our databases.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name & Title of person signing: \_\_\_\_\_



National Council on Aging

Senior Community Service Employment Program

# Training Assignment Description

Participant's Name: \_\_\_\_\_

Date: \_\_\_\_\_ [ ] Initial Description [ ] Upgraded Description

Training Position Title: \_\_\_\_\_

Training Site: \_\_\_\_\_ Phone #: \_\_\_\_\_

Training Site Address: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Email address: \_\_\_\_\_

## Specific training to be provided:

(Provide dates, anticipated length of training to be provided, subjects to be covered and person(s)/organization providing the training.)

## Tasks to be performed by participant:

(List tasks in order of importance. List any unusual requirements. Continue on additional sheet if necessary.)

Participant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

I verify that this training position constitutes a new or expanded service and is not a violation of maintenance of effort regulations of the U.S. Department of Labor. (Positions of SCSEP participants shall be in addition to positions which otherwise would be funded by the local training site without assistance from SCSEP. Positions funded under SCSEP: shall result in an increase in employment opportunities over those which would otherwise be available; may not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of non-overtime work, wages or employment benefits; may not impair existing contracts for service or result in the substitution of federal funds for other funds in connection with work that would otherwise be performed; may not substitute program jobs for existing federally assisted jobs; may not employ or continue to employ a trainee to perform work the same or substantially the same as that performed by any other person who is on layoff.)

Supervisor's signature: \_\_\_\_\_ Date: \_\_\_\_\_



National Council on Aging

Senior Community Service Employment Program

# Host Agency Application

Name of Agency: \_\_\_\_\_

Street/Mail Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone # (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Fax # (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Name & Title of Contact Person: \_\_\_\_\_

If training is to take place at a different location provide address & phone for training location:

\_\_\_\_\_

## Type of Agency:

- ☐ Federal Government ☐ State Government ☐ County Government ☐ Municipal Government  
☐ Non-profit organization that is tax exempt under §501c3 of the Internal Revenue Code of 1954.  
(Attach copy of the I.R.S. determination letter of §501c3 status.)

## Funding Sources:

Please indicate what percentage of the agency's funding is:

Federal Gov't: \_\_\_\_\_% State Gov't: \_\_\_\_\_% Local Gov't: \_\_\_\_\_% Private Sector: \_\_\_\_\_%

## Fiscal Year:

The agency's fiscal year is from: \_\_\_\_\_ to \_\_\_\_\_

## Purpose of Organization:

Briefly describe the organization's purpose and target population:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SCSEP Host Agency Application (continued)

### Training:

Title of the training position desired: \_\_\_\_\_

**Briefly describe training that will be provided:**

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Name and title of person who will provide supervision and training:

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### Employment:

Will the agency be able to employ the participant upon successful completion of training?

☐ Yes, provided that funding is available.

☐ No, there is not a reasonable expectation that funding will be available.

If no, what will agency do to help participant obtain employment?

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### Signature / Maintenance of Effort:

I verify that this training position constitutes a new or expanded service and is not a violation of maintenance of effort regulations of the U.S. Department of Labor. (Positions of SCSEP participants shall be in addition to positions which otherwise would be funded by the local training site without assistance from SCSEP. Positions funded under SCSEP: shall result in an increase in employment opportunities over those which would otherwise be available; may not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of non-overtime work, wages or employment benefits; may not impair existing contracts for service or result in the substitution of federal funds for other funds in connection with work that would otherwise be performed; may not substitute program jobs for existing federally assisted jobs; may not employ or continue to employ a trainee to perform work the same or substantially the same as that performed by any other person who is on layoff.)

\_\_\_\_\_  
*signature of authorized agency representative*

\_\_\_\_\_  
*date*

\_\_\_\_\_  
*name and title of authorized agency representative*

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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:** SEPTEMBER 8, 2021

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This Engineer's Report provides an update on the progress made on the various projects since August 11, 2021, that we are currently working on:

1. FHWA Projects
  - a. Adams Avenue Reconstruction Between Center Avenue to 4th Street

Tosted Asphalt repaired the section of the defective roadway on August 31<sup>st</sup>. Staff will be conducting a final site walkthrough to determine that the westbound lane meets the project specifications. Once the project is deemed complete, staff will proceed with presenting the Notice of Completion to City Council and closeout the project with Caltrans.
2. EDA Off-site Improvements at Northwest Corner of Park Blvd and Anchor Ave

Staff has prepared and submitted a response to the EDA regarding their comments on the 100% plans and technical specifications. Once the EDA confirms that all comments have been addressed and the plans and technical specifications are approved, staff will proceed with putting the project out to bid.
3. Police Station Parking Lot Improvements Project

This project is nearing completion. Staff will be scheduling a final walkthrough with the contractor to confirm that the project meets the project specifications.
4. Library Rapid Flashing Beacon Project

Staff has prepared a staff report for tonight's council meeting recommending that City Council award the project to the lowest and responsible bidder.
5. No Kid Hungry Grant

Staff is currently working with Christina Marroquin from Save the Children on the execution of this grant. Ms. Marroquin has reached out to OK produce to get a quote for the meal kits. Staff has notified OK produce that the food distribution will be held at Eaton Park. Once staff has received a quote from OK Produce, they will provide the City Manager with an estimate of additional resources that will be needed. Additional resources will likely include bags or boxes for the meal kits, staff or volunteers will also be needed to prepare the kits and hand them to residents.
6. Proposition 68 Grant Applications


Staff has submitted the revised Resolutions that were adopted at the August 11<sup>th</sup> to the State Department of Parks and Recreation. To date, all of the Department's questions and comments regarding the City's four applications have been addressed and the applications are currently under review. The Department anticipates announcing the grant awards later this month. Staff will continue to keep City Council updated on the grant awards or any delays in the Department's announcement.

7. Affordable Housing Sustainable Communities Grant

The draft plans and technical specifications for the construction of 20,804 linear feet of Class II bike lanes, 5,412 LF of pedestrian sidewalk with concrete curb, and new bus station outside the Adventist Health Medical Office are nearing completion. In the next few weeks, staff will be providing a copy to the plans and technical specifications to the public works department for their review. Following their review, the project will be put out to bid.



## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Alfonso Manrique, City Engineer   
**Subject:** Adopt Resolution Awarding Bid for the Library Rapid Flashing Beacon Project  
**Attachments:** Resolution No. 2021- 42

### **RECOMMENDATION:**

Staff recommends that the City Council adopts the attached Resolution awarding the construction of the Library Rapid Flashing Beacon Project to Pelagic Engineering for a total bid of \$22,732.00, approve a contingency amount of \$2,300.00, authorize the Interim City Manager to sign the Agreement on behalf of the City of Orange Cove, authorize the Interim City Manager to approve expenditures up to the contingency amount.

### **BACKGROUND:**

At the City Council meeting on April 14, 2021, City Council authorized the City Manager to solicit bids for the construction of a rapid flashing beacon in front of the Orange Cove Library and authorized the City Manager to use Measure C funds to pay for the design and construction of the Project. On August 11, 2021, a total of seven bids were opened and read aloud at 2:00 p.m., this being the advertised bid opening date and time. The lowest total bid was submitted by Pelagic Engineering in the amount of \$22,732.00. Staff has reviewed all bids and has determined that the bid submitted by Pelagic Engineering meets the requirements outlined in the construction documents. The Bid results are summarized in the table below.

Contractor	Total Bid
Pelagic Engineering	\$22,732.00

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  
☒ Action Item  
☐ Department Report  
☐ Redevelopment Agency

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



<b>Contractor</b>	<b>Total Bid</b>
Todd Companies	\$27,700.00
PTM General Engineering Services	\$31,831.00
CINQ 818 Inc.	\$32,920.00
Bush Engineering	\$39,999.00
Terra West Construction Inc.	\$42,000.00
Seal Rite	\$48,300.00

The bid submitted by Pelagic Engineering is less than the total budgeted amount of \$25,300. Staff recommends using 10 percent of the total project costs to create a contingency fund and authorize the Interim City Manager to approve additional expenditures up to the contingency amount of \$2,300.00. The following table summarizes the total bid amount for the project, the amount designated for construction engineering, and the amount designated for contingency.

<b>Item</b>	<b>Total Cost</b>
Total Bid	\$22,732.00
Construction Engineering	\$2,500.00
Contingency	\$2,300.00
<b>Total Project Cost</b>	<b>\$27,532.00</b>

**FISCAL IMPACT:**

The total cost associated with the construction of this Project will be covered by Measure C funds.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2021- 42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
AWARDING BID FOR THE LIBRARY RAPID FLASHING BEACON PROJECT TO  
PELAGIC ENGINEERING FOR \$22,732.00, AUTHORIZING THE INTERIM CITY  
MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF ORANGE  
COVE, AND AUTHORIZE THE INTERIM CITY MANAGER TO APPROVE  
EXPENDITURES UP TO THE CONTINGENCY AMOUNT OF \$2,300.00

WHEREAS, bids for the construction of Library Rapid Flashing Beacon Project were solicited from qualified contractors, opened on August 11, 2021 at the Orange Cove City Hall; and

WHEREAS, the lowest responsive and responsible bid was submitted Pelagic Engineering in the amount of \$22,732.00; and

WHEREAS, the bid amount received for the Projects is less than the City's total budgeted amount of \$25,300.00; and

WHEREAS, the amount of \$2,300.00 shall be used to create a contingency fund that will be used to pay for any unforeseen expenditures accrued during construction of the Project.

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

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. Upon the recommendation of the City Engineer, the bid for the Library Rapid Flashing Beacon Project is hereby awarded to Pelagic Engineering in the amount of Twenty-Two Thousand, Seven Hundred and Thirty-Two Dollars and No Cents (\$22,732.00).
3. The Interim City Manager is authorized to sign an Agreement with Pelagic Engineering on behalf of the City of Orange Cove.
4. The Interim City Manager is authorized to approve additional expenditures up to the contingency amount of Two Thousand Three Hundred Dollars and No Cents (\$2,300.00).
5. 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.
6. 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 September 8, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Victor P. Lopez, Mayor

ATTEST:

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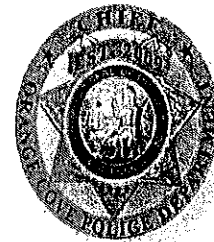
June Bracamontes, City Clerk



# ORANGE COVE POLICE DEPARTMENT

## AUGUST 2021 MONTHLY STATISTICS

CHIEF OF POLICE - MARTY RIVERA



### PART 1 CRIMES

	JULY	AUG	%	YTD	YTD
	2021	2021	Change	2020	2021
Homicide	0	0	0%	0	0
Rape	0	0	0%	0	0
Attempted Murder	0	0	0%	0	1
Robbery	1	0	-100%	2	1
Assault	1	0	-100%	7	5
Burglary	1	1	0%	11	15
Grand Theft Auto	2	3	50%	14	11
<b>Total Part 1 Crimes</b>	<b>5</b>	<b>4</b>	<b>-20%</b>	<b>34</b>	<b>33</b>

	JULY	AUG	%	YTD	YTD
	2021	2021	Change	2020	2021
Sex Crimes	1	3	200%	10	9
Narcotics	4	2	-50%	29	23
Child Abuse	1	1	0%	4	5
<b>Total Part 2 Crimes</b>	<b>6</b>	<b>6</b>	<b>0%</b>	<b>43</b>	<b>37</b>

	JULY	AUG	%	YTD	YTD
	2021	2021	Change	2020	2021
Total Traffic Collisions	4	2	-50%	27	26
Fatalities	0	0	0%	0	0
Injury	1	0	-100%	1	1
Non Injury	2	1	-50%	13	14
Hit & Run	1	1	0%	13	11

### ENFORCEMENT STATISTICS

	JULY	AUG	%	YTD	YTD
	2021	2021	Change	2020	2021
Total Traffic Citations	42	32	-24%	220	218
Total Vehicle Stops	146	103	-29%	747	777
Seatbelt Violations	2	2	0%	8	12
Unsafe Speed Violations	0	3	300%	9	13
Fail To Obey Stop Sign/Light	21	8	-62%	39	60
Driving Under the Influence	1	0	-100%	9	11
Gang Arrests - Felony	0	0	0%	1	0
Gang Arrests - Misdemeanor	0	0	0%	0	0
Gang Field Interview Cards	2	0	-100%	24	19
Juvenile Detentions/Arrests	1	0	-100%	7	4
Adult Arrests	9	7	-22%	57	83

	JULY	AUG	%	YTD	YTD
	2021	2021	Change	2020	2021
5150	2	2	0%	34	32
Agency Assist	8	7	-13%	61	65
Battery	2	2	0%	11	13
Evading/Obstructing Officer	1	0	-100%	11	6
Fraud	0	1	100%	7	2
Identity Theft	0	0	0%	3	2
Spousal Abuse	8	5	-38%	46	38
Graffiti/Vandalism	4	5	25%	49	27
Veh. Burglaries	2	1	-50%	5	4
General Incidents	15	13	-13%	125	114
Weapons Confiscated	1	0	-100%	11	4
Petty Theft	3	3	0%	33	25
Public Intoxication	3	1	-67%	8	10
Suspended License	2	2	0%	18	14
Unlicensed Drivers	8	9	13%	61	65
Vehicles Towed	16	8	-50%	74	83
Vehicles Released	5	4	-20%	46	38
Case Number Drawn	170	133	-22%	1,100	1,085



**Marty Rivera**  
Chief of Police

## ORANGE COVE ANIMAL CONTROL STATISTICAL ACTIVITY REPORT

**MONTH: August**

**OFFICER: R. DIAZ**

BITE REPORTS	0
PRIOR MONTH STRAYS	3 from July
STRAY DOGS	10 Picked up in August
EUTHANIZED DOGS	0
ADOPTED DOGS	0
RESCUED DOGS	7 In August
INJURED STRAY DOGS	
ANIMAL CRUELTY INVESTIGATIONS	None
RELEASED DOGS TO OWNER	3
CITATIONS ISSUED	1
QUARANTINED DOGS	
OTHER ANIMAL	
MISC	
DOGS IN SHELTER	3 Dogs in shelter

NOTES	
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## **POLICE DEPARTMENT MONTHLY REPORT**

**September 8, 2021**

**Staff.** Officer Deleon should return to work this week, Officer. Officer Parra off with wife being Covid Positive. Rolando Urrea returned to work on the 18th of August. Started the background process for a new applicant.

**Office clerk** position on hold until November.

**Animal Shelter**.....Is running very well. See attached report.

**Events:** None planned at this time.

### **Grants:**

COPS Grant was submitted requesting one officer. Do not expect results until late October.

### **Vehicles**

The two new SUVs ordered on last year's budget were delayed due to chip shortage. Expect them here by the end of September.

**Covid 19:** The County is experiencing a surge on the new Covid variant. Persons that were vaccinated may still get it, but not very severe. Non vaccinated persons are being hospitalized. Recommend that masks continue to be worn and avoid large crowds if possible.

**Cameras** Installation of the cameras has begun at the intersections of Anchor South and Anchor and park. Servers being moved from different locations.

**Parking lot:** repairs were finished on August 4<sup>th</sup>. There are some issues with water settling in spots and poor drainage. Waiting for gate opener device to be repaired.





## STAFF REPORT

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TO: Honorable Mayor and City Council  
FROM: Rudy Hernandez, Interim City Manager  
DATE: September 8, 2021  
SUBJECT: Orange Cove Energy Efficiency Project

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### Summary

Over the past number of years staff have met with a variety of companies that provide various energy efficiency solutions. In general, the projects proposed have been large scale projects which (upon staff review) seemed to be overly large fiscal commitments which may have been difficult to carry forward (from a financing perspective) with minimal risk. More recently, SitelogIQ has approached the City of Orange Cove to discuss a potential project within the city. SitelogIQ is an energy efficiency company which is semi unique in that it is also a general contractor of energy efficiency projects. SitelogIQ performed a preliminary energy audit of all City facilities and was tasked with creating a smaller scale project for City consideration. After a significant amount of analysis SitelogIQ met with City staff to propose the most economically feasible solar locations, as well as lighting upgrades. The sites proposed for potential lighting upgrades include the Community Center, Police Department, Fire Department, City Hall, Senior Center and Julia A. Lopez Child Development Center. Subsequently, SitelogIQ also proposed a project location at the Wastewater Treatment Facility for possible solar as the Wastewater Treatment Facility is the City's largest power user.

The above proposed locations should be considered as "phase 1" of the City's overall goal of reaching energy independence. Due to the City's financial circumstances the above referenced project is the City's most fiscally responsible option. SitelogIQ will propose additional locations for solar in "phase 2" (2023 - 2024) which will potentially include solar to offset usage at the Water treatment facility, Community Center, Police Department, Fire Department, City Hall, Senior Center and Julia A. Lopez Child Development Center.

The total project cost for "phase 1" identified (at this preliminary stage) is approximately \$2,330,459. SitelogIQ has proposed one funding option that will be discussed at length during the presentation. In broad terms, the funding option proposed would make use of the California Energy Commission, Energy Conservation Assistance Act One Percent Loan Program (CEC ECAA Loan) and would result in a net 30-year savings of approximately \$7,185,847. As an added benefit, the CEC will conduct at no cost to the city a thorough third-party review of SitelogIQ's costs, as well as savings calculations. If council approves

SitelogIQ's Letter of Agreement, SitelogIQ will complete the Engineering phase and staff would return to the Council for approval to move forward and apply for the CEC ECCA Loan.

As outlined in the SitelogIQ presentation, there is a key motivation to moving quickly with regard to a decision to institute a solar energy efficiency project. This relates to an upcoming potential rule change by the CPUC that would greatly reduce California net metering policy which could potentially cut the value of solar credits by up to 75%. If this policy is adopted, the potential financial savings to the City would be greatly reduced within areas served by PG&E. However, if the City moves forward with the process within the next 2-3 months, the City could be grandfathered into the current net energy metering policy for up to a 20-year period thereby making the project financially viable. The City would also own the solar panels whereby all savings generated would flow to the City. This is as opposed to a Power Purchase Agreement (PPA) whereby the City leases solar panels and savings flow to the lessor of the solar panels.

### **Recommendation**

It is recommended that the City Council approve a Letter of Agreement with SitelogIQ regarding a proposed energy efficiency project at City of Orange Cove municipal facilities and approve the attached resolution authorizing the City Manager to sign the Letter of Agreement with SitelogIQ.

### **FISCAL IMPACT:**

As stated previously, there is a preliminary total project cost of \$2,330,459 that is proposed to be funded entirely by the CEC ECAA Loan and will generate an approximate 30-year net saving to the City of \$7,185,847 (roughly 30% general fund, 70% wastewater enterprise fund). Additionally, the CEC ECAA Loan documents state "(The obligation of the borrower to make such payments shall be limited to the savings realized by the Borrower as a result of implementing the Project funded by the Loan)" Meaning, if for any reason the City does not realize the saving the CEC and SitelogIQ have calculated, the City is not responsible for making any portion of the payment.

Short term fiscal impact is the cost of \$900 - \$1,500 to be paid directly to PG&E for a Preliminary Interconnection Application Fee in order to obtain important Distribution System information regarding the planned solar interconnection points, **prior** to submitting an Interconnection Application during construction of a Solar Generation PV Array. This would grandfather the current net energy metering policy for the City as previously described. The purpose is also to avoid or address early in the design phase any existing PG&E infrastructure that may prohibit or delay the construction of a Solar Generation PV Array at the City of Orange Cove Wastewater Treatment Plant location.

Prepared by: **Rudy Hernandez**

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

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

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

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

TYPE OF ITEM:

☐ Consent  
☐ Info Item  
☒ Action Item  
☐ Department Report  
☐ Redevelopment Agency

COUNCIL ACTION: APPROVED DENIED NO ACTION

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

RESOLUTION NO. 2021-\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
APPROVING AN AGREEMENT BY AND BETWEEN  
THE CITY OF ORANGE COVE AND SITELOGIC  
AND AUTHORIZING THE INTERIM CIT MANAGER  
TO EXECUTE THE AGREEMENT**

WHEREAS, the City Council has received and review a proposal from SiteLogic regarding the construction of solar arrays at the City wastewater plant project, including proposed financing of the project; and,

WHEREAS, the project as presented will provide the City with enough savings from the project that will pay for the debt service on the financing; and

WHEREAS, the project as presented is to seek a one percent (1%) interest loan for the construction of the project; and,

WHEREAS, the council finds that the proposed project is in the best interest of the citizens and residents of Orange Cove in that it shall reduce the energy costs to operate the wastewater plant significantly and the City shall be able to pay the debt service through the significant savings in energy costs; and,

WHEREAS, the City and SiteLogic have set forth the terms and conditions of the proposed agreement in the attached Exhibit "A" which is incorporated herein by this reference as if set forth in full.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE COVE, FINDS, DETERMINES AND RESOLVES AS FOLLOWS:**

1. The foregoing recitals, and each of them, are true and correct, and they are each hereby adopted as findings of the City;
2. The Agreement, the attached Exhibit "A", as proposed is in the best interest of the residents of Orange Cove and of the City of Orange Cove.
3. The Mayor of the City or his designee, is hereby authorized to execute the attached Agreement on behalf of the City Council and City of Orange Cove.

\* \* \* \* \*

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I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Orange Cove at a meeting thereof held on the 8<sup>th</sup> day of September 2021, by the following vote:

AYES:	COUNCILMEMBERS:	
NOES:	COUNCILMEMBERS:	
ABSENT:	COUNCILMEMBERS:	
ABSTAIN:	COUNCILMEMBERS:	None

\_\_\_\_\_  
Mayor of the City of Orange Cove

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
Orange Cove

Site	Total Cost	Total Cost (Pro-Rata Estimate)		Total First Year Annual Gross Savings	Total Gross Annual Savings (Pro-Rata Estimate)		Total 30 Year NET Savings	Total NET Savings (Pro-Rata Estimate)	
		General Fund	Sewer		General Fund	Sewer		General Fund	Sewer
City Hall, PD, Fire, Senior Center, Child Development Center	\$360,765	\$360,765		\$38,573	\$38,573		\$2,209,045	\$2,209,045	
Waste Water Treatment Plant	\$1,969,694	-	\$1,969,694	\$108,653	-	\$108,653	\$4,976,802	-	\$4,976,802
Total	\$2,330,459	\$360,765	\$1,969,694	\$147,226	\$38,573	\$108,653	\$7,185,847	\$2,209,045	\$4,976,802



**Date:** September 8, 2021  
**To:** Mayor and City Council  
**From:** Rudy Hernandez, Interim City Manager  
**Subject:** Update on Financial Issues  
**Attachments:** See Below

**Background:**

- Schedule of Proposed Increases in Utility Taxes If November 2021 Utility Users Tax Ballot Measure Passes.
- Utility Users Tax Ballot Measure Flyer Regarding Upcoming Public Meetings (English/Spanish)

**RECOMMENDATION:**

For Information Only.

Prepared by: \_\_\_\_\_

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

REVIEW: City Manager: ☒ \_\_\_\_\_

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

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

**TYPE OF ITEM:**

**COUNCIL ACTION: APPROVED DENIED NO ACTION**

☒ Consent  
☒ Info Item  
☐ Action Item  
☐ Department Report  
☐ Redevelopment Agency

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

City of Orange Cove  
**Schedule of Proposed Increases in Utility Taxes if November 2021 Utility Users Tax Ballot Measure Passes**  
 Final Version

	Example #1	Example #2	Example #3	Example #4	Example #5	Example #6
<b>Sample Utility Bills (1)</b>	\$ 50.00	\$ 100.00	\$ 150.00	\$ 200.00	\$ 250.00	\$ 300.00
<b>7% Current Utility Tax (2)</b>	3.50	7.00	10.50	14.00	17.50	21.00
<b>Current Utility Bill and Tax</b>	<b>\$ 53.50</b>	<b>\$ 107.00</b>	<b>\$ 160.50</b>	<b>\$ 214.00</b>	<b>\$ 267.50</b>	<b>\$ 321.00</b>
<b>3% New Utility Tax (3)</b>	1.50	3.00	4.50	6.00	7.50	9.00
<b>Total New Bill with Taxes</b>	<b>\$ 55.00</b>	<b>\$ 110.00</b>	<b>\$ 165.00</b>	<b>\$ 220.00</b>	<b>\$ 275.00</b>	<b>\$ 330.00</b>
<b>Sample Water Bills</b>	\$ 50.00	\$ 60.00	\$ 70.00	\$ 80.00	\$ 90.00	\$ 100.00
<b>10% New Water Tax (3)</b>	5.00	6.00	7.00	8.00	9.00	10.00
<b>Total New Water</b>	<b>\$ 55.00</b>	<b>\$ 66.00</b>	<b>\$ 77.00</b>	<b>\$ 88.00</b>	<b>\$ 99.00</b>	<b>\$ 110.00</b>
<b>3% New Utility Tax</b>	1.50	3.00	4.50	6.00	7.50	9.00
<b>10% New Water Tax</b>	5.00	6.00	7.00	8.00	9.00	10.00
<b>New Utility Tax (5) (6)</b>	<b>\$ 6.50</b>	<b>\$ 9.00</b>	<b>\$ 11.50</b>	<b>\$ 14.00</b>	<b>\$ 16.50</b>	<b>\$ 19.00</b>

(1) Includes PG&E, Southern California Edison, internet service, mobile and other non-water utility bills

(2) Existing Utility tax being currently paid is 7% except for water

(3) Proposed new Utility Tax for 3%, excluding water

(4) There is no current tax on Water; proposed new water tax would be 10%

(5) Combined Utility and Water Tax column totals are only examples as current utility usage could be different from water usage

(6) Proposed increases in Utility Taxes if November 2021 Utility Users Tax Ballot Measure passes

Example of Utility User #1: Has \$50 in utility bills and \$50 water bill. Their tax would increase by \$6.50 (\$1.50+\$5)

Example of Utility User #2: Has \$100 in utility bills and \$70 water bill. Their tax would increase by \$9.00 (\$3+\$6)

Example of Utility User #3: Has \$150 in utility bills and \$70 water bill. Their tax would increase by \$11.50 (\$4.50+\$7)

Example of Utility User #4: Has \$200 in utility bills and \$80 water bill. Their tax would increase by \$14 (\$6+\$8)

Example of Utility User #5: Has \$250 in utility bills and \$90 water bill. Their tax would increase by \$16.50 (\$7.50+\$9)

Example of Utility User #6: Has \$300 in utility bills and \$100 water bill. Their tax would increase by \$19 (\$9+\$10)



# UTILITY USER TAX PUBLIC MEETING

The Utility User Tax Measure Is On The Upcoming  
November 2<sup>nd</sup> Election Ballot.

Mayor Victor Lopez & City Council Members Cordially Invite You to  
Participate in A Special Public Meeting to Discuss the Utility Tax Measure  
and How Residents Will be Impacted by this Measure

All Residents are Encouraged to Attend the Meeting and Bring Any  
Questions or Concerns You Have About the Utility User Tax

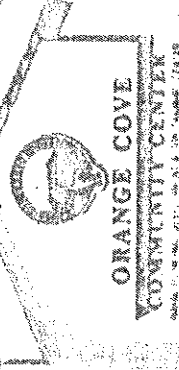
REFRESHMENTS WILL BE PROVIDED!

Public Meetings Will Be Held on: September 28<sup>th</sup>, October 5<sup>th</sup>, October  
12<sup>th</sup>, October 19<sup>th</sup>, & October 28<sup>th</sup>

Time: 6pm to 8pm

Location: Orange Cove High School Cafeteria

1700 S Anchor Ave, Orange Cove, CA 93646



# REUNIÓN PÚBLICA DE IMPUESTOS AL USUARIO DE SERVICIOS PÚBLICOS

La Medida del Impuesto Al Usuario de Servicios Públicos Está en la  
Próxima Boleta Electoral del 2 de Noviembre.

El Alcalde Víctor López y los Miembros del Consejo de la Ciudad lo  
Invitan Cordialmente a Participar en Una Reunión Pública Especial Para  
Discutir La Medida del Impuesto a los Servicios Públicos y Cómo los  
Residentes se Verán Afectados por Esta Medida

Se Recomienda a Todos los Residentes que Asistan a la Reunión y  
Traigan Cualquier Pregunta o Inquietud que Tengan Sobre el Impuesto al  
Usuario de Servicios Públicos

**¡SE PROPORCIONARÁN REFRIGERIOS!**

Las Reuniones Públicas se Llevarán a Cabo el: 28 de Septiembre, 5 de Octubre,  
12 de Octubre, 19 de Octubre y 28 de Octubre

Hora: 6pm a 8pm

Ubicación: Cafeteria de Orange Cove Escuela Secundaria

1700 S Anchor Ave, Orange Cove, CA 93646