



## CITY COUNCIL MEETING AGENDA

Victor P. Lopez, Mayor

Diana Guerra Silva, Mayor Pro Tem

Roy Rodriguez, Council Member

Josie Cervantes, Council Member

Esperanza Rodriguez, Council Member

WEDNESDAY, MAY 11, 2022 - 6:30 P.M.

SENIOR CENTER

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

### LIVE MEETING

**A. Call to Order/Welcome**

Roll Call

Invocation

Flag Salute

**B. Confirmation of Agenda**

**C. Consent Calendar**

1. Ratify approval Laboratory & Toxicology Services Agreement

**D. Administration**

**City Engineer**

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

**Recommendation:** Informational item Only

3. **SUBJECT:** Ordinance 390

**Recommendation:** Council to approve the second reading and adoption of Ordinance 390 by title only waive full reading Amending Chapter 8.21 of Title 8 of the Orange Cove Municipal Code Pertaining to the Regulation of State Mandated Recycling Programs.

4. **SUBJECT:** Level 2 Water Conservation

**Recommendation:** Council to consider approving Resolution No. 2022-22 Declaring a Level 2 Water Supply Shortage and Authorize the Interim City Manager to Prepare and Mail out a Water Conservation Notice to Residents

5. **SUBJECT:** Deed Restriction for Accessor Parcel Number 375-040-36T Sequoia View Community Park

**Recommendation:** Council to consider approving Resolution No. 2022-23 Approving a Deed Restriction for the Sequoia View Community Park site, authorize the City Manager to execute the attached Deed Restriction, and authorize the City Clerk to record the Deed Restriction with the Fresno County Recorder's Office.

**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 Projects Presented by Planner Shun Patlan

**Recommendation:** Informational Item Only

**Interim City Manager:**

8. **SUBJECT:** Donation to the Orange Cove High School Graduation

**Recommendation:** Council to consider approving a \$2,000 donation to the Orange Cove High School Graduation

**Mayor and City Councilmembers:**

9. **SUBJECT:** WELLS Conference June 10-11, 2022, Pico Rivera, CA and ICSC (Innovating Commerce Serving Communities) May 22-24, 2022 Las Vegas

**Recommendation:** Council to give 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's Report**

10. **SUBJECT:** Resolution regarding November 8, 2022 Election requesting The Board of Supervisors of the County of Fresno to Consolidate and Canvass the General Municipal Election to be held on November 8, 2022

**Recommendation:** Council to consider approving Resolution No. 2022-24 Resolution regarding November 8, 2022 Election requesting The Board of Supervisors of the County of Fresno to Consolidate and Canvass the General Municipal Election to be held on November 8, 2022

11. **SUBJECT:** Candidate Filing opens on Monday July 18 and closes on Friday August 12, 2022

**Recommendation:** Informational Item Only

**H. City Council Communications**

**I. Closed Session:**

12. Conference with Labor Negotiators (Government Code Section 54957.6)

- a. City Designated Representative: Rudy Hernandez, Interim City Manager
- b. Employee Organization: International Union of Operating Engineers, Stationary Engineers, Local 39

13. Conference with Labor Negotiators (Government Code Section 54957.6)

- a. City Designated Representative: Rudy Hernandez, Interim City Manager
- b. Employee Organization: Orange Cove Police Officers Association

14. Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: APN 375-040-36T  
City Negotiator: Interim City Manager  
Negotiating Parties: Yanez Construction, Inc  
Under Negotiation: Price and Terms of Payment

## **J. Reconvene Council Meeting**

## **K. Adjournment**

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

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



#### ADVENTIST HEALTH TOXICOLOGY

880 E. MERRITT AVE. SUITE 107

TULARE, CA. 93274

559-685-3456

[AdventistHealth.org/Toxicology](http://AdventistHealth.org/Toxicology)

### COST AND SERVICE BENEFITS FOR ORANGE COVE POLICE DEPARTMENT

Thank you for your interest in Adventist Health Toxicology Laboratory. We appreciate the opportunity to show you why Adventist Health Toxicology is your #1 choice in Forensic Toxicology. The following are a list of reasons why you should choose AHT:

- 1) State of the Art Technology- At Adventist Health Toxicology, we use the latest in advanced detection instrumentation. Our Liquid Chromatography/Mass Spectrometer and Gas Chromatography/ Mass Spectrometers can detect even the smallest amount of a substance. Our drug menu is extensive and is growing all the time. Our Forensic Alcohol Analysis department goes well beyond what CCR Title 17 requires.
- 2) We can screen and confirm drugs and alcohol on both blood and/or urine samples.
- 3) If you choose to take advantage of one of our two facilities in either Reedley or Selma for specimen collection, we have trained laboratory staff 24/7. We can have the officers' back on the road in usually less than 15 minutes. All our staff are trained in the importance of maintaining a chain of custody of all samples. A bonded courier transports samples daily to our testing facility in Tulare.
- 4) What stands us out is our fast turn-around-time. We strive to have completed results within 72 hours from the time the samples reach our testing facility.
- 5) We are registered with the United States Drug Enforcement Administration which permits us the ability to perform substance identification much like the DOJ laboratory does but with 24-hour result vs weeks.
- 6) We feel that we have competitive pricing for the services you receive. Some requests may be a bit more than other labs and some tests will be less. We feel that in the long term, it all equals out.
- 7) Our Toxicologists are deemed to be experts in Toxicology but the courts. We are no strangers to courtroom testimony. We have an outstanding relationship with the Fresno County DA's office.
- 8) Our sample storage facility freezes and stores samples for up to 5 years. Our competitor does not freeze samples which could affect the sample integrity if further testing is required later. They are limited on their storage space and in most cases, if I am not mistaken, returns the samples to OCPD to be placed into evidence.
- 9) Our testing facility is in a secured building with alarms on the doors, windows, and motion detectors inside. The system is monitored 24/7 with a direct line to law enforcement

In conclusion, we provide a quicker, 72 hr. turnaround time, and a lower cost collection fee. We keep and secure the evidence samples ourselves, freeing up the deputies to do other tasks. We have very fast turnaround times from collection to resulting. We offer extremely competitive pricing. We have a secured testing and storage facility. Our Toxicologists are familiar with courtroom testimony and have a very good relationship with the FCDA office

## **LABORATORY & TOXICOLOGY SERVICES AGREEMENT**

**THIS AGREEMENT is entered this \_\_\_\_\_, 20\_\_ between as "Client" and Adventist Health Tulare, Adventist Health Toxicology hereinafter referred to as "Laboratory".**

**WITNESSETH:**

**WHEREAS, Client and Laboratory recognizes the need for services provided by Laboratory to be available to all clients in the following facilities:**

**WHEREAS, Client desires to engage Laboratory to perform the functions and to provide laboratory services as described in this Agreement;**

**THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties to this Agreement agree to the following terms and conditions:**

- 1. Laboratory agrees to perform scheduled and non-scheduled lab draws for lab tests on the patients for the Client regardless of Race, Creed, nationality, Origin or handicap.**
- 2. Laboratory will process and/ or analyze samples for toxicology and forensic alcohol.**
- 3. Laboratory services shall be available five days a week for obtaining samples and testing. On-call sample collection will be available seven days a week (24/7) and 365 days per year in areas that are currently covered.**
- 4. Client agrees to reimburse Laboratory for services performed at the agreed to rates listed on pages 4-10. Reimbursement for services shall be mail to Adventist Health Toxicology 880 E Merritt Ave Suite 107, Tulare CA. 93274. Reimbursement shall be net fifteen (15) days from receipt of statement. Any Billing Questions Client may contact 559-685-3456.**
- 5. Laboratory will provide a copy of all laboratory results to Client. Screening results will be provided within 24 hours during regular business hours. Confirmations will be provided within 48 hours during regular business hours.**
- 6. Laboratory will store samples and results up to a minimum of 3 years.**
- 7. Laboratory will be responsible for all supplies.**
- 8. Laboratory will be responsible to monitor and ensure that the required services to clients are in accordance with CCR Title 17 Forensic Alcohol Analysis regulated by California Department of Public Health.**
- 9. Term of this agreement is for a period of three year (3) and will automatically continue thereafter for consecutive 1-year term.**
- 10. Either party may terminate this Agreement with or without cause, by providing 30 days written notice to the other party.**

11. Each party agrees to be responsible and liable to third parties, for its own acts, both passive and active, as they may give rise to claims, lawsuits, penalties or violations.

**RELATIONSHIP OF PARTIES:**

It is understood by the parties that Client is independent with respect to Hospitals and not an employee of Hospitals. Hospitals will not provide benefits, including health insurance benefits, paid vacation, or any other employment benefit, for the benefit of Facility.

Laboratory shall be solely responsible for paying all taxes and compensation for its employees and for furnishing, at Facility's sole cost and expense, any and all benefits including, but not limited to, workers' compensation insurance, unemployment insurance, medical or life insurance benefits and pension benefits as required by applicable law.

**Mutual Indemnity**

Each party, Client and Laboratory and its employees and agents, shall be responsible for their own acts and omissions and shall not be responsible for the acts and omissions of the other party in carrying out this agreement. Each party, Client and Laboratory, agrees to indemnify and hold harmless the other party against all actions, claims or demands whatsoever including costs, expenses and attorney fees to which the other party may be put arising out of each party's negligent acts and omissions during the performance of this agreement.

**INSURANCE:**

Laboratory agrees to secure and maintain in effect, at Laboratories own expense, liability insurance as that are required by all laws and regulations of the State.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 1st day of August, In Tulare County California.



Client Authorized Signature \_\_\_\_\_ Print Name \_\_\_\_\_  
Date \_\_\_\_\_

**Adventist Health Tulare, Adventist Health Toxicology**

**880 E. Merritt Ave. Ste 107 & 108**

**Tulare CA. 93274**

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**Timothy Haydock, CFO**

Services and Fees



TOXICOLOGY LABORATORY

880 E. Merritt Ave Suite 107, Tulare,  
CA. 93274

(559)605-0775

[AdventistHealth.org/Toxicology](http://AdventistHealth.org/Toxicology)

Service/Test	Description	Price
Blood Alcohol by GC	Blood Alcohol (Ethanol)- Tested using CCR Title 17 requirements	\$55.00
Blood Drug Screen*	Amphetamines, Barbiturates, Cannabinoids, Cocaine (Metabolite), Benzodiazepines, Opiates, Phencyclidine	\$60.00
Urine Drug Screen 10 Panel*	Amphetamines, Barbiturates, Benzodiazepines, Cocaine (Metabolite), Methamphetamines, Methadone (Metabolite), Opiates, Oxycodone, Phencyclidine, Cannabinoids (THC-COOH), Creatinine, Ph, Specific Gravity	\$60.00
Fentanyl Screen*	Fentanyl Screen- Blood or urine	\$50.00
Blood or Urine Drug Confirmation	Confirm presumptive positives detected by screens using either Gas Chromatography or Liquid Chromotography/ Mass Spectrometer	\$66.00
Specimen Collection	Collection Fee- blood sample or urine	\$45.00
Travel To Collection	Travel Fee- if applicable	\$45.00
Urine Alcohol Screen*	Alcohol (Ethanol)- tested using CCR Title 17 requirements	\$30.00
Buprenorphine Screen*	Buprenorphine	\$50.00
Carisoprodol/Mebroamate Screen*	Carisoprodol/Mebroamate	\$50.00

[ADVENTISTHEALTH:INTERNAL]

Services and Fees

6- Monoacetylmorphine (6-MAM) Screen*	Heroin Metabolite	\$50.00
Alternate Scan	This is used to test for drugs or substances not normally found during conventional testing	\$64.00
Tricyclic Antidepressants Screen (TCA)*	Tricyclic Antidepressants	\$50.00
Gassing Identification 1	Description of sample; Description of procedure; Tested for the presence of; Test Method; result	\$50.00
Substance Identification for Ethanol	Description of sample; Presence or absence of Alcohol (Ethanol)	\$30.00
Substance Identification	Agency Identifier for sample; Description of sample; weight in grams; packaging; results of identification test.	\$66.00
Substance Identification- SPICE	Identification of Synthetic Cannabinoids; Description of sample; weight; packaging.	\$100.00
Court testimony- 4 hours (half-day)**	4 hours/half day court testimony	\$568.00
Court testimony- 1 hour**	1 hour court testimony	\$142.00
Court testimony- 2 hours**	2 hours court testimony	\$284.00
Court testimony- 3 hours**	3 hours court testimony	\$426.00
Court testimony- Full Day**	Full day court testimony	\$1,136.00
Telephone Testimony**	per hour fee	\$50.00

\*- Confirmation performed unless specifically requested not to.

\*\* - Court Fees responsibility of the DA's office

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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:** MAY 11, 2022

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This Engineer's Report provides an update on the progress made on the various projects since April 27, 2022, that Staff is currently working on:

1. American Rescue Plan

a. City Hall Front Office and Flooring Remodel

Burke Construction will begin construction of this project on Monday May 16<sup>th</sup>. During this time, the City Hall will be closed to the public and staff will be working either at the Senior Center or in the work trailer that is parked to the east of Council Chambers. Burke Construction estimates that the project will be complete by June 6<sup>th</sup> and staff can proceed with moving back into the building.

2. Victor P. Lopez Community Center Repairs

The roofing company has completed the roof repairs and the plumbing contractors started their portion of work on May 9<sup>th</sup>. Cartozian Air Conditioning and Heating has stated that the second HVAC system will be available either mid-June or beginning of July. Staff estimates that all repairs will be complete sometime in mind July.

3. 2021 Small Community Drought Relief Program

Staff has received a contour offer from the seller of the 14-acre property in Reedley for the construction of the new groundwater well. The contour offer will be discussed tonight during closed session. If Council approves the contour offer, the next step will be to go out to bid for the construction of the test well to determine if there is sufficient groundwater can be pumped from this property.

4. Proposition 68 Per Capita Grant – Eaton Park Renovation Project


Staff has received the topographic survey of the park and is now proceeding with the design phase. Staff estimates that it will take approximately three months to complete the plans and technical specifications. Staff estimates that the project will go out to bid late summer early fall and all improvements will be constructed at the park by Spring 2023.

5. Water Supply and Conservation

Staff is continuing to work with the U.S. Bureau of Reclamation (Reclamation) to see if the City's water allocation for the 2022-23 water year will be increased. Staff has accepted an additional 70 acre-feet of Unreleased Restoration Flows (URF) from the Reclamation. Due to the current water supply shortage, staff is recommending that City Council approve a resolution at tonight's meeting declaring a Level 2 water supply shortage and implement mandatory conservations measures associated with the water shortage level.



## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Alfonso Manrique, City Engineer   
**Subject:** Second Reading and Approval of Ordinance No. 390 Amending Chapter 8.21 of Title 8 of the Orange Cove Municipal Code Pertaining to the Regulation of State Mandated Recycling Programs  
**Attachments:** Ordinance No. 390

### **RECOMMENDATION:**

It is recommended that City Council conduct second reading and adopt Ordinance No. 390, which amends Chapter 8.21 of Title 8 of the Orange Cove Municipal Code pertaining to the regulation of State mandated recycling programs.

### **BACKGROUND:**

In 2016, Governor Brown signed into law Senate Bill (SB) 1383, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. SB 1383 is the State's most ambitious waste reduction law in the last 30 years and enacts the following targets to reduce organic waste in landfills:

- Achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025.
- Recover at least 20% of currently disposed surplus food by 2025.

In addition to setting specific emissions reduction goals, SB 1383 mandates cities and counties to:

- Provide organic waste collection services to all residents and businesses.

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: \_\_\_\_\_

## **ORDINANCE NO. 390**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE AMENDING CHAPTER 8.21 OF TITLE 8 OF THE ORANGE COVE MUNICIPAL CODE PERTAINING TO THE REGULATION OF STATE MANDATED RECYCLING PROGRAM**

**THE CITY COUNCIL OF THE CITY OF ORANGE COVE HEREBY DOES ORDAIN:**

Chapter 8.21 - RECYCLING/AB 939 COMPLIANCE

Sections:

8.21.010 - Purpose.

The city is required to adhere to state mandated policies and thus is establishing citywide requirements applicable to the 1989 California Integrated Waste Management Act—Assembly Bill 939 (AB 939). This specifically includes amendment provisions for AB 341, signed into law October 2011, Recycling of Commercial Solid Waste, AB 1826, signed into law September 2014, Recycling of Organic Waste, and Senate Bill No 1383, signed into law September 2016, Short-lived climate pollutants and any future bills signed into law under AB 939. AB 341 and AB 1826 impacting commercial businesses and multifamily dwellings with five or more units, whereas SB 1383 impacts commercial businesses, multifamily dwellings, and single family dwellings. These assembly bills are intended to increase the diversion of recyclable material and organic waste from landfill disposal, reduce greenhouse gas emissions, conserve water, energy and other natural resources, and protect the environment. This ordinance is to ensure citywide compliance of state mandated policies and document enforcement penalties to ensure full awareness.

(Ord. No. 386, § 1, 6-24-2019)

8.21.020 - Definitions.

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

- A. "AB 939" means the Division 30 Waste Management in the California Public Resource Code.
- B. "AB 341" means Chapter 12.8 Recycling of Commercial Solid Waste in Part 3 of Division 30 in the California Public Resource Code.
- C. "AB 1826" means Chapter 12.9 Recycling of Organic Waste in Part 3 of Division 30 in the California Public Resource Code.
- D. "SB 1383" means Chapter 395 Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills.
- E. "City" means seated council, as voted on by residents within Orange Cove City Limits, approved regulations and all businesses/residents geographically located within city limits.

- F. "Business" or "businesses" means any commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, corporation, or an association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling.
- G. "Multi-family dwelling(s)" means any residential structure used for housing, with five or more units.
- H. "Residential" or "resident(s)" means any residential structure used for single-family housing or multi-family dwelling with less than five units.
- I. "Owner" means the holder(s) of the legal title to the real property.
- J. "Source separation" means to divide refuse at the place of discard generation, prior to collection, into separate containers that are designated for recyclables, organic, organic/green waste, and solid waste/trash.
- K. "Recycling program" means (1) pick-up by authorized franchise hauler, (2) self-haul directly to landfill or transfer station, (3) resale for profit to a third party, and (4) composting onsite.
- L. "Recycle" or "recycling" means source separation of: (1) recyclables, (2) organic green waste, and (3) organic food waste.
- M. "Recyclable" means any material that can be sorted and reconstituted, for the purpose of using the altered form in the manufacture of a new product, as approved by the city and its authorized franchise hauler.
- N. "Organic Food waste" means solid, semisolid, and liquid food waste, such as fruit, vegetables, cheese, meat, bones, poultry, seafood, bread, rice, pasta, coffee grounds and filters, and tea bags, as defined by the authorized franchise hauler.
- O. "Organic Green waste" means biodegradable/compostable, such as branches, grass, floral trimmings, landscape & pruning waste, leaves, non-treated wood waste, shrubs, trees, and weeds, as defined by the authorized franchise hauler.
- P. "Organic waste" means food waste and green waste, as defined by the Franchise Hauler.
- Q. "Solid waste" means all materials of any kind that is *not* organic, organic/green, or recyclable as defined by the authorized franchise hauler.
- R. "Trash" means material that is designated for landfill disposal and does not include either recyclable or compostable materials. The term trash does not include hazardous waste material.
- S. "Franchise hauler" means the hauler that is contracted with the city by a franchise agreement and has an exclusive agreement to collect solid waste, recyclables, organic waste, electronic waste, and construction and demolition materials.
- T. "Bulky items" means discarded waste that is too large to be placed in a closed waste/recycle bin/cart, so items are not protruding out the top including, but not limited to, large appliances, furniture, carpets, mattresses, and similar large items that require special handling due to the size.
- U. "Bin" means a metal or plastic container for the collection of solid waste, organic waste, or recyclable material.

- V. "Cart" means a ninety-six-gallon plastic container used for the collection of solid waste, organic green waste, organic food waste, or recyclable material.
- W. "Contamination" means bin/cart contains material other than what is allowed, as defined by the Franchise Hauler.
- X. "Self-haul" means transport and disposal of solid waste, recyclable materials, organic green waste, or organic food waste at the landfill or transfer station by a member of the household where it was generated. For a business, "self-haul" means transport and disposal by an individual listed on its payroll as an employee, but not as an agent.
- Y. "Special event" means a community, public, commercial, recreational or social event which may serve food or drink, and which may require a permit from the city. Special event may include the temporary or periodic use of a public street, publicly owned site or facility, or public park.
- Z. "Food Recovery" means edible food collected and redistributed to feed people in need rather than going to the landfill for disposal.
- AA. "Tier one (1)" commercial edible food generators mean a Supermarket, Grocery Store with a total size equal or greater than 10,000 square feet, Food service provider, Food distributor, or Wholesale vendor.
- BB. "Tier two (2)" commercial edible food generator means a Restaurant with 250 or more seats or with a total size equal or greater than 5,000 square feet, Hotel with on-site food facility and 200 or more rooms, Health facility with an on-site food facility and 100 or more beds, large venue, large event, a State agency with a cafeteria with 250 or more seats or a cafeteria with a total size equal or greater than 5,000 square feet, and a local education agency with an on-site food facility.

(Ord. No. 386, § 1, 6-24-2019)

#### 8.21.030 - General provisions.

- A. Commencing August 1, 2019, all businesses, multi-family dwellings, and residents within city limits shall adhere to state mandated laws and regulations outlined under AB 939 as well as all current and/or future amendments, i.e., AB 341, AB 1826, SB 1383, etc.
- B. Designated recyclable materials shall be source separated prior to collection, removal, transportation or disposal.
- C. Business and multi-family owners must subscribe to city approved recycling programs of (1) pick-up by approved franchise hauler, (2) self-haul, (3) resale for profit, or (4) on-site composting.
  - 1. Should an owner subscribe to self-haul, resale for profit and/or on-site composting, they are required to provide quarterly/annual proof of recycling through scale tickets or arranged site visits with city personnel and/or designated representative for on-site composting.
- D. Businesses, multi-family dwellings, and residents subscribing to approved franchise hauler will be provided bins or carts based on their recycling subscription.



- E. Businesses, multi-family dwellings, and residents will recycle, by source separation, into designated bins or carts.
- F. Businesses that generate solid waste are required to subscribe to both a recyclable and organic waste recycling program.
  - 1. State law determines solid waste generation requirements.
- G. Multi-family dwellings must subscribe to both recyclable and organic waste recycling programs.
- H. Residential customers must subscribe to both recyclable and organic waste recycling programs and be required to source separate materials as defined by the Franchise Hauler.
- I. Food waste bins shall be locked with master key held by franchise hauler and duplicate provided to business.

(Ord. No. 386, § 1, 6-24-2019)

#### 8.21.040 - Unlawful acts.

- A. It is unlawful for any business, multifamily dwelling, or resident to fail to comply with any provision or requirement set forth in this chapter/division, which is applicable to such business, multifamily dwelling, or resident.

(Ord. No. 386, § 1, 6-24-2019)

#### 8.21.050 - Multi-family recycling.

- A. Owners of multi-family dwellings are responsible for providing tenants with required recycling receptacles and subscribing to mandated/required recycling programs.
- B. Multi-family dwellings recycling programs available are: (1) recyclables and (2) organic waste.
- C. Owners or managers of multi-family dwellings are responsible for ensuring their tenants compliance in all recycling programs.
- D. Owners of multi-family dwellings shall provide a location for placement of communal recycling containers that are convenient for tenants and approved by the director of public works and/or their designated representative.
- E. Owners and/or property managers shall provide tenants documented instructions about their subscribed recycling programs and the requirement to source separate.
- F. All multi-family dwelling properties shall ensure carts are stored at their approved location at all times other than service day (Section 8.20.040).

(Ord. No. 386, § 1, 6-24-2019)

#### 8.21.060 - Commercial business recycling.

- A. Commercial businesses are required to subscribe to approved recycling programs.
- B. Commercial recycling programs available are: (1) recyclables, (2) organic food waste and (3) organic green waste.
  - 1. Recycling program subscriptions are based on guidelines set by the State of California. Assessment by the franchise hauler will determine the recycling program a business is required to subscribe to.
- C. Business owners are responsible for ensuring their employees compliance in all recycling programs.
- D. Owners and/or businesses shall provide a location for placement of recycling container(s) approved by the director of public works and/or their designated representative.
- E. Businesses shall provide all employees documented instructions about their subscribed recycling programs and the requirement to source separate.

(Ord. No. 386, § 1, 6-24-2019)

#### 8.21.070 - Residential recycling.

- A. Owners of residential dwellings shall subscribe to approved recycling programs.
- B. Residential recycling programs available are: (1) recyclables, (2) organic waste.
- C. Owners and/or property managers of residential dwellings shall provide tenants documented instructions about their subscribed recycling program and the requirement to source separate.
- D. All residential properties that utilize ninety-six-gallon blue recycling and green waste carts for curbside service shall ensure carts are stored at their approved location at all times other than service day (Section 8.20.040).

(Ord. No. 386, § 1, 6-24-2019)

#### 8.21.080 - Special event recycling.

- A. Special event recycling will be determined as part of the application approval process by the department of public works.
- B. Coordinators of special events may be required to temporarily subscribe to a recycling program. Subscription should cover: (1) setup, (2) event, and (3) teardown.
- C. Recycling programs available are: (1) recyclables and (2) organic Food waste.
  - 1. The required subscription is based on what is offered at event, i.e., if there is no food being offered, then subscription to the organic Food waste recycling program is not required.
- D. Coordinators of special events must have enough receptacles to cover the venue adequately.

(Ord. No. 386, § 1, 6-24-2019)

8.21.090 - Construction and demolition recycling.

- A. All construction and demolition projects shall adhere to Chapter 15.32, Construction and Demolition Materials Management.

8.21.100 – Self-Haul:

- A. Businesses, Multi-family dwellings, and/or residents that elect to self-haul recyclables and/or organic waste will be required to provide proof, such as scale tickets, on a quarterly/annual basis to prove compliance to Recycling Programs. Scale tickets shall include the material collected and the amount received in cubic yards or tons. Should the material be taken to a location that does not have scales or is incapable of weighing the self-haulers vehicle, then the self-hauler is required to keep a record, with the date, of the entity that received the material.

8.21.110 – Food Recovery:

- A. Commercial edible food generators shall recover the maximum amount of edible food for distribution to food recovery organizations that accept edible food. A large venue or event operator that does not provide food services, but allows food to be provided shall arrange for edible food to be collected and distributed to food recovery organizations that accept edible food.
- B. Any edible food generator that intentionally spoils edible food capable of recovery will be subject to citation and fees.

(Ord. No. 386, § 1, 6-24-2019)

8.21.120 - Contaminated containers.

- A. Blue Recycling containers for recyclable material containing any unrecyclable material, as determined by the Franchise Hauler, may be subject to receiving a citation for contamination and subject to fees.
- B. Green Recycling containers for organic food and organic green waste containing any unrecyclable material, as determined by the Franchise Hauler, may be subject to receiving a citation of contamination and subject fees.
- C. Black/Grey Trash containers for Trash containing recyclables and/or organic waste, as determined by the Franchise Hauler, may be subject to receiving a citation of contamination and subject to fees.
- D. Recycling bins and carts may be subject to contamination citations and fees.
- E. Contamination of Blue or Green recycling and Black/Grey Trash containers will be determined by the franchise hauler at time of service and documented with pictures.
- F. When a Black/Grey Trash, Blue recyclable, and/or Green organic waste container has been deemed contaminated:
  - 1. Franchise hauler will not dump container on first and second consecutive occurrences to allow customer until next service day to correct.

- a. Customer will be issued a citation advising of contamination and fees for additional contaminations.
    - b. Franchise hauler will document, with pictures, contaminated container for all occurrences.
  2. Franchise hauler will dump container on third consecutive occurrence and apply contamination fee.
  3. Occurrence and citation will be retained on customer's account.
- G. When an organic waste container has been deemed contaminated:
1. Franchise hauler will dump contaminated container on the scheduled service day or no later than the next business day, subject to franchise hauler discretion.
  2. For the first occurrence within a ninety-day period, customer will be issued a citation advising of contamination and fees for additional contaminations.
  3. Multiple occurrences within a ninety-day period will be subject to citation and additional fees.

(Ord. No. 386, § 1, 6-24-2019)

8.21.130 - Violations—Misdemeanor.


Any person, firm or corporation violating any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished accordingly, as set forth in Section 1.24.010 of this code.

(Ord. No. 386, § 1, 6-24-2019)



## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Alfonso Manrique, City Engineer 

**Subject:** Adopt Resolution Declaring a Level 2 Water Supply Shortage and Authorize the Interim City Manager to Prepare and Mail Out a Water Conservation Notice to Residents

**Attachments:** Resolution No. 2022-22  
Water Conservation Notice to Residents

### **RECOMMENDATION:**

Staff recommends that City Council adopt the attached Resolution declaring a Level 2 Water Supply Shortage pursuant to Chapter 13.17 of the Orange Cove Municipal Code and authorize the Interim City Manager to prepare and mail out a Water Conservation Notice to all residents of Orange Cove.

### **BACKGROUND:**

On January 26, 2011, the City Council adopted Ordinance No. 351 establishing the "Orange Cove Water Conservation and Water Supply Shortage Plan" which is set forth in Chapter 13.17 of the Municipal Code. Chapter 13.17 mandates water conservation measures to reduce water consumption through community conservation, effective water supply planning, and the prevention of water waste. In order to quickly implement additional water conservation mandates to respond to water supply shortages, the Chapter describes three levels of water supply shortages to further restrict water usage.

Section 13.17.075 of the Orange Cove Municipal Code provides that a Level 2 water supply shortage exists when the City Council determines, in its sole discretion, that due to drought or

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: \_\_\_\_\_

other water supply conditions, a water supply shortage or threatened shortage exists, and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Under the Municipal Code, upon declaration by the City Council by written Resolution of a Level 2 water supply condition, the City is able to implement the mandatory Level 2 conservation measures identified in Section 13.17.075.

The City's sole water source is obtained from the U.S. Bureau of Reclamation (USBR) Central Valley Project (CVP) through the Friant Kern Canal. The City has an annual allocation of 1,400 ac-ft but that allocation is adjusted depending on hydrological conditions in the State. The 21/22 winter has delivered below average rain and snow precipitation. Consequently, the USBR announced that the initial water made available to the City for the 2022 water year would be 15 percent of the City's annual allocation, approximately 210 acre-feet. The Lower Tule Irrigation District has also confirmed that the City will not be able to purchase any additional water unless their water allocation is increased to 20 to 25 percent. Staff was notified that the City would receive another 70 acre-feet in unreleased restoration flows from the. This combined amount of 280 acre-feet is still inadequate to meet public health and safety standards. The City has recently requested an additional allocation from USBR and is awaiting a response.

Due to drought conditions and the reduced water supply, the State Water Board has ordered the City to submit a weekly Drought Technical Report. Staff will be actively submitting all the required documents to satisfy this order. To further assist with the conservation of the City's water supply, staff is requesting that City Council adopt a Resolution declaring a Level 2 Water Supply Shortage pursuant to Chapter 13.17 of the Municipal Code and authorize the Interim City Manager to prepare and mail out a Water Conservation Notice to all residents of Orange Cove. To ensure that residents adhere to the mandatory conservation measures, the City will be hiring a temporary water conservation code enforcement officer that will be responsible for identifying water waste in the community, investigate water waste complaints and issue citations for violations of the City's water conservation policy.

**FISCAL IMPACT:**

The is no fiscal impact associated with this item.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2022-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE

WHEREAS, the City of Orange Cove receives all of its municipal water supply from the U.S. Bureau of Reclamation (USBR) Central Valley Project (CVP) through the Friant Kern Canal; and

WHEREAS, the USBR announced that the initial water made available to the City for the 2022 water year will be approximately 210 acre-feet of the 1,400 acre-feet it general receives under its water allocation contract; and

WHEREAS, as a result, there is now a shortage of water supply available to the City; and

WHEREAS, Section 13.17.075 of the Orange Cove Municipal Code provides that a Level 2 water supply shortage exists when the City Council determines, in its sole discretion, that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists, and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions; and

WHEREAS, upon declaration by the City Council by written Resolution of a Level 2 water supply condition, the City is able to implement the mandatory Level 2 conservation measures identified in Section 13.17.075.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Orange Cove, California, that based on the foregoing recitals and reports received from City staff, the City Council makes the following findings based upon substantial evidence regarding the availability of water:

1. A reliable minimum supply of potable water is essential to the health, safety and welfare of the public,
2. California Water Code Section 375 authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
3. The adoption and enforcement of a water conservation and supply shortage program is necessary to manage the City's potable water supply in the short and long term to minimize the effects of water supply shortage in the City.
4. The City has adopted an Ordinance entitled the "Orange Cove Water Conservation and Water Supply Shortage Plan" which is set forth in Chapter 13.17 of the Municipal Code.
5. That a water supply shortage exists, and a consumer demand reduction is necessary to make more efficient use of water and appropriate respond to existing water conditions.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ORANGE COVE FINDS:

A. Level 2 Water Supply Shortage Emergency

A Level 2 water supply shortage emergency condition exists pursuant to Chapter 13.17 of the Orange Cove Municipal Code, and therefore, in addition to the permanent conservation requirements outlined in Section 13.17.060, the following additional water conservation requirements apply during a declared Level 2 water supply shortage as set forth in the Code:

1. Limits on Watering Days. Watering or irrigating landscape or other vegetated area with potable water is limited to one day per week on a schedule established and posted by the city. This restriction does not apply to the following categories of use, if the city has determined that recycled water is available and may be applied to the use:
  - a. Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device;
  - b. Maintenance of existing landscape necessary for fire protection;
  - c. Maintenance of existing landscape for soil erosion control;
  - d. Maintenance of plant materials identified to be rare or essential to the well-being of protected species; maintenance of landscape within active public parks and playing fields, day care centers, golf course greens, and school grounds, provided that such irrigation does not exceed two days per week according to the schedule established in Subsections 13.17.060A, B and C;
  - e. Actively irrigated environmental mitigation projects.
2. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within twenty-four hours of notification by the city unless other arrangements are made with the city.
3. Limits on Filling Ornamental Lakes or Ponds. Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this chapter.
4. Limits on Washing Vehicles. Using water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not, is prohibited. This subsection does not apply to any commercial car washing facility.
5. Limits on Filling Residential Swimming Pools and Spas. Re-filling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.
6. The city may impose either of the following restrictions:
  - a. No New Potable Water Service. Upon declaration of a Level 2 water supply shortage emergency condition, no new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to serve or provide potable water service (such as, will-serve letters, certificates, or letters of availability) will be issued, except under the following circumstances:
    - i. A valid, unexpired building permit has been issued for the project;
    - ii. The project is necessary to protect the public health, safety, and welfare; or
    - iii. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the city.
  - b. Limits on Building Permits. The city will limit or withhold the issuance of building permits which require new or expanded water service, except to protect the public



health, safety and welfare, or in cases which meet the city adopted conservation offset requirements.

7. Discontinue Service. The city, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.

B. Enforcement

The City will pursue enforcement proceedings in accordance with the Municipal Code upon finding a violation of Level 2 requirements and prohibitions.

This resolution was adopted at a Regular Meeting of the City Council of the City of Orange Cove held on May 11, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Victor P. Lopez, Mayor

ATTEST:

---

June Bracamontes, City Clerk



## **LEVEL 2 WATER SUPPLY SHORTAGE URGENT WATER CONSERVATION MEASURES**

**May 6, 2022**

On May 11, 2022, the Orange Cove City Council approved a Resolution declaring a Level 2 Water Supply Shortage Emergency Condition. Effective immediately, the City of Orange Cove will be implementing the following mandatory Level 2 conservation measures for all customers served by the City's water system.

1. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9:00 a.m. and 5:00 p.m. and is limited to one (1) day per week.
  - Properties with an odd number street address shall be permitted to use water for outdoor watering purposes one (1) day per week on Saturdays.
  - Properties with an even number street address shall be permitted to use water for outdoor watering purposes one (1) day per week on Sundays.
  - No watering shall take place on Monday through Friday.
2. All leaks, breaks, or other malfunctions in the customer's plumbing or distribution system must be repaired within twenty-four (24) hours of notification by City officials.
3. Filling or re-filling ornamental lakes or ponds is prohibited.
4. Using potable water to wash or clean a vehicle is prohibited. This does not apply to any commercial car washing facility.
5. Re-filling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.
6. Excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter, or ditch is prohibited.
7. Flood irrigation of residential landscapes is prohibited.
8. Washing down hard or paved surfaces is prohibited.
9. Operating a water fountain or other decorative water feature that does not use re-circulated water is prohibited.
10. Restaurants are prohibited from providing drinking water to any person unless expressly requested.
11. Restaurants are prohibited from using non-water conserving dish wash spray valves.

The City strongly encourages all residential and commercial water uses to practice good water management practices and be mindful of the current drought conditions and conservation measures that are required by the City.

Please be advised the City will be immediately taking the proper steps in pursuing enforcement proceedings in accordance with our Municipal Code upon finding a violation of residents not complying with the above conservation measures. Our Public Works Department along with the cooperation of the Police Department will be assuring that all residents are complying with the water conservation measures as implemented by the City of Orange Cove. Your cooperation is greatly appreciated.


**Water Violation can be reported by Calling the Orange Cove Police Department at 559-626-5106**

**You can remain anonymous!**



## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Alfonso Manrique, City Engineer 

**Subject:** Approve Deed Restriction for Accessor Parcel Number 375-040-36T (Sequoia View Community Park) Pursuant to the Requirements of the California Department of Parks and Recreation's Proposition 68 Statewide Park Development and Community Revitalization Program

**Attachments:** Resolution No. 2022-23  
Deed Restriction  
Exhibit A – Legal Description and Exhibit Map for APN 375-040-36T

### **RECOMMENDATION:**

Staff recommends that City Council adopt the attached Resolution approving a Deed Restriction for the Sequoia View Community Park site, authorize the City Manager to execute the attached Deed Restriction, and authorize the City Clerk to record the Deed Restriction with the Fresno County Recorder's Office.

### **BACKGROUND:**

The City of Orange Cove has received a grant award through the California Department of Parks and Recreation's Proposition 68 Statewide Park Development and Community Revitalization Program in the amount of \$1,819,000.00 for the construction of the new Sequoia View Community Park. Conditions of the grant award include that the City file a deed restriction on the property where the grant funded improvements will be located. The purpose of the deed restriction is to protect the State's interest in the property, and to ensure that the property will be used for the purposes consistent with the grant contract. The State cannot issue reimbursement payment for

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: \_\_\_\_\_

work completed on the Project until the deed restriction is recorded.

Following City Council's approval, the City Clerk will record the deed restriction with the Fresno County Recorder's Office. The recorded copy will then be submitted to the California Department of Parks and Recreation for final approval. Once approved the City can proceed with preparing the design and technical specification for the project. Staff estimates that construction of the project will begin in spring 2023 and will take approximately six months to complete.

**FISCAL IMPACT:**

There is no fiscal associated with the adoption of this Resolution. Construction of the Sequoia View Community Park will use grant funds received through the Proposition 68 Statewide Park Development and Community Revitalization Program.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2022-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
APPROVING A DEED RESTRICTION FOR ASSESSOR PARCEL NUMBER 375-040-36T  
(SEQUOIA VIEW COMMUNITY PARK) PURSUANT TO THE REQUIREMENTS OF THE  
CALIFORNIA DEPARTMENT OF PARKS AND RECREATION'S PROPOSITION 68  
STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM

WHEREAS, the City of Orange Cove received a grant award from the California Department of Parks and Recreation's Proposition 68 Statewide Park Development and Community Revitalization Program in the amount of \$1,819,000.00 for the construction of the new Sequoia View Community Park Project (Project); and

WHEREAS, one of the conditions of the grant requires the City to file a deed restriction on the property where the grant funded improvements are located; and

WHEREAS, the deed restriction would require the City to maintain and operate the funded property for a period of 30 years only for the purposes for which the grant was made and shall make no other use or sale or other disposition of the property, except as authorized by the deed restriction agreement; and

WHEREAS, the deed restriction period shall remain in full force and effect for the period running from July 1, 2020 through June 30, 2050; and

WHEREAS, the improved property funded by the California Department of Parks and Recreation's Proposition 68 Statewide Park Development and Community Revitalization Program includes the Sequoia View Community Park parcel designated with Assessor Parcel Number (APN) 375-040-36T; and

WHEREAS, the deed restriction would encumber said parcel; and

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

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. The City Council hereby approves a Deed Restriction for the Sequoia View Community Park parcel designated with APN 375-040-36T and authorizes the Interim City Manager to execute the deed restriction agreement.
3. The City Council hereby authorizes the City Clerk to record said Deed Restriction with Fresno County.
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 May 11, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Victor P. Lopez, Mayor

ATTEST:

---

June Bracamontes, City Clerk

EXHIBIT "A"

(Portion of APN 375-040-36T)

The land referred to herein below is situated in the City of Orange Cove, County of Fresno, State of California, and is described as follows:

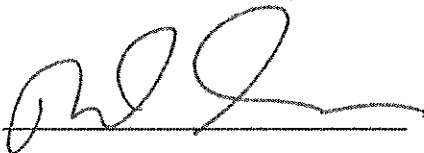
The North 550.00 feet of the West 295.00 feet of Lot 16 in Section 14, Township 14 South, Range 24 East, Mount Diablo Base and Meridian, according to the map of Orange Cove Tract No. 1 thereof recorded June 26, 1913 in Book 9 Page 33 of Record of Survey, Fresno County Records.

Containing 3.72 acres, more or less.

End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

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



Narinder S. Sahota, PLS 8719

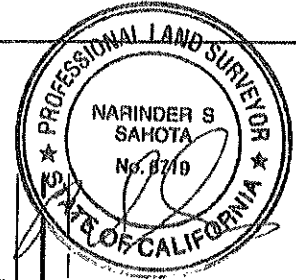


Date: May 4, 2022

# EXHIBIT "A"



INDICATES PROPOSED SUBJECT AREA



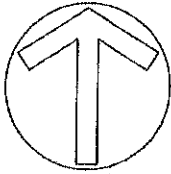
5/4/22

LOT 2

LOT 1

LOT 15

MAP OF ORANGE COVE TRACT No. 1  
BOOK 9 OF ROS PAGE 33, F.C.R.

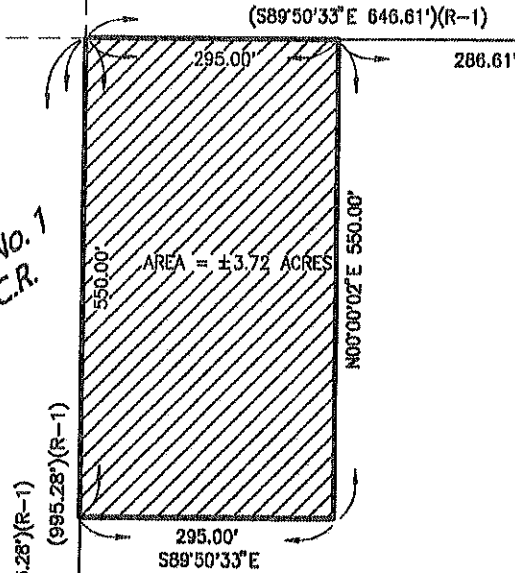


NORTH

SCALE: 1"=100'

## LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE OF ROAD
- (R-1) RECORD OR CALCULATED DATA PER SURVEY MAP RECORDED ON BOOK 63 OF SURVEYS AT PAGE 82, FRESNO COUNTY RECORDS, STATE OF CALIFORNIA.



LOT 16

AREA = ±10.36 ACRES  
REMAINDER

DOC. #2014-0053908  
CITY OF ORANGE COVE

RECORD OF SURVEY  
Bk. 63, Pg. 82, F.C.R.

SUMNER AVENUE

SOUTH ANCHOR AVENUE

WEST QTR. COR. OF  
SECTION 13 15/24,  
M.D.B.&M.

**CENTRAL VALLEY**  
ENGINEERING & SURVEYING, INC.



2611 LOGAN STREET Tel: (559) 891-8811  
SELMA, CA 93662 Fax: (559) 891-8815  
WWW.CV&S.COM Email: info@cv&s.com

**SEQUOIA VIEW COMMUNITY PARK**  
**CITY OF ORANGE COVE**

VOL. 9 PG. 33 OF RECORD OF SURVEY MAP  
PORTION OF APN: 375-040-36T

FRESNO COUNTY

CA

BY: N.S.

DATE: 05/04/2022

JOB NUMBER: 22-010AM

SHEET NUMBER: 1 OF 1



RECORDING REQUESTED BY:  
California Department of Parks and Recreation  
Office of Grants and Local Services

WHEN RECORDED MAIL TO:  
Office of Grants and Local Services  
PO Box 942896  
Sacramento, CA 94296-0001  
Attn: Kevin Glaudel

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

### DEED RESTRICTION

I. WHEREAS, the City of Orange Cove (hereinafter referred to as "Owner(s)" is/are recorded owner(s) of the real property described in Exhibit A, attached and incorporated herein by reference (hereinafter referred to as the "Property"); and

II. WHEREAS, the California Department of Parks and Recreation (hereinafter referred to as "DPR") is a public agency created and existing under the authority of section 5001 of the California Public Resources Code (hereinafter referred to as the "PRC"). And

III. WHEREAS, Owner(s) (or Grantee) applied to DPR for grant funds available pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All of 2018 Parks Bond Act, Statewide Park Development and Community Revitalization Program for Create Sequoia Community Park in the City of Orange Cove. Construct a baseball field, soccer field, grass volleyball court, playground, loop walking trail with exercise stations, parking lot, restroom, landscaping and LED lighting throughout the park. on the Property; and

IV. WHEREAS, on July 1, 2021, DPR's Office of Grants and Local Services conditionally approved Grant SW-10-009 , (hereinafter referred to as "Grant") for Create Sequoia Community Park in the City of Orange Cove. Construct a baseball field, soccer field, grass volleyball court, playground, loop walking trail with exercise stations, parking lot, restroom, landscaping and LED lighting throughout the

park. on the Property, subject to, among other conditions, recordation of this Deed Restriction on the Property; and

V. WHEREAS, but for the imposition of the Deed Restriction condition of the Grant, the Grant would not be consistent with the public purposes of the 2018 Parks Bond Act, Statewide Park Development and Community Revitalization Program and the funds that are the subject of the Grant could therefore not have been granted; and

VI. WHEREAS, Owner(s) has/ve elected to comply with the Deed Restriction of the Grant, so as to enable Owner(s), to receive the Grant funds and perform the work described in the Grant;

NOW, THEREFORE, in consideration of the issuance of the Grant funds by DPR, the undersigned Owner(s) for himself/herself/themselves and for his/her/their heirs, assigns, and successors-in-interest, hereby irrevocably covenant(s) with DPR that the condition of the grant (set forth at paragraph(s) 1 through 5 and in Exhibit B, Grant Contract No. C9803040, hereto) shall at all times on and after the date on which this Deed Restriction is recorded constitute for all purposes covenants, conditions and restrictions on the use and enjoyment of the Property that are hereby attached to the deed to the Property as fully effective components thereof.

1. DURATION. (a) This Deed Restriction shall remain in full force and effect and shall bind Owner(s) and all his/her/their assigns or successors-in-interest for the period running from July 1, 2020 through June 30, 2050.

2. TAXES AND ASSESSMENTS. It is intended that this Deed Restriction is irrevocable and shall constitute an enforceable restriction within the meaning of a) Article XIII, section 8, of the California Constitution; and b) section 402.1 of the California Revenue and Taxation Code or successor statute. Furthermore, this Deed Restriction shall be deemed to constitute a servitude upon and burden to the Property within the meaning of section 3712(d) of the California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded property.

3. RIGHT OF ENTRY. DPR or its agent or employees may enter onto the Property at times reasonably acceptable to Owner(s) to ascertain whether the use restrictions set forth above are being observed.

4. REMEDIES. Any act, conveyance, contract, or authorization by Owner(s) whether written or oral which uses or would cause to be used or would permit use of the Property contrary to the terms of this Deed Restriction will be deemed a violation and a breach hereof. DPR may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Deed Restriction up to and including a lien sale of the property. In the event of a breach, any forbearance on the part of DPR to enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding any subsequent breach.

5. SEVERABILITY. If any provision of these restrictions is held to be invalid, or for any reason becomes unenforceable, no other provision shall be affected or impaired.

Dated: April \_\_\_\_\_, 2022

Business Name (if property is owned by a business): \_\_\_\_\_

Owner(s) Name(s): City of Orange Cove

Signed: \_\_\_\_\_

Rudy Hernandez, City Manager  
PRINT/TYPE NAME & TITLE OF ABOVE  
(GRANTEE'S AUTHORIZED REPRESENTATIVE)

Signed: \_\_\_\_\_

\_\_\_\_\_  
PRINT/TYPE NAME & TITLE OF ABOVE  
(ADDITIONAL SIGNATURE, AS REQUIRED)

**\*\*NOTARY ACKNOWLEDGEMENT ON THE NEXT PAGE\*\***

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, a Notary Public,  
personally appeared \_\_\_\_\_, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that  
by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

**Exhibit "B"**  
**Grant Contract No. C9803040**



**ORANGE COVE HIGH SCHOOL**  
1700 Anchor Ave. • Orange Cove, CA 93646 • Telephone (559) 626-5900

Mr. Angel Durazo, Principal; Mr. Antonio Rivera, Assistant Principal;  
Mrs. Jodee Pinheiro Smith, Learning Director


April 29, 2022

To the City of Orange Cove,

Orange Cove High School is planning for all of our Class of 2022 Graduation activities. As you are aware there are many costs involved with providing the best for our students. We would appreciate it if the City can help by donating \$2,000 to assist with covering the costs for our events. Our students appreciate any help with this and thank you ahead of time for everything you do for our students and community. Let me know if there's any more information that is required by you.

We appreciate any donation for the children and community of Orange Cove. Please make any check out to Orange Cove High School.

Thank you and GO Titans!

  
Angel Durazo

*Principal, Orange Cove High School*



*"Never Underestimate the Heart of a Titan!"*

**Kings Canyon Unified School District,**  
1801 10th Street, Reedley, CA 93654 Telephone (559) 305-7010 Fax: (559) 823-3760  
Mr. John Campbell, Superintendent,  
Board Members: Mr. Noel Remick, Mrs. Sarah Rola, Mr. Craig Cooper,  
Mrs. Robin Tyler, Ms. Nancy Hernandez, Ms. Patricia Olson, Mrs. Clotilda Mora





## Annual WELL Conferences



2022 is WELL's 10-year anniversary, to celebrate we are hosting a conference series. The second conference will take place from Friday, June 10 to Saturday, June 11, 2022, at the Water Replenishment District of Southern California, Albert Robles Center for Water Recycling and Environmental Learning in Pico Rivera, CA.

Water is one of the top public policy issues affecting our state. Are you involved in the water discussion? Join us to learn more about this critical issue and help support your residents and local economy as the state faces a third year of drought.

### Conference Overview:





**ICSC LAS VEGAS** is our premier event and takes place annually in May. It is a two- to three-day gathering of dealmakers and industry experts, who are driving innovation and evolution in the Marketplaces Industry.



## **ICSC 2022 LAS VEGAS**

May 22-24, 2022

Las Vegas Convention Center

Las Vegas, Nevada,  
United States



## **Increase Profits and Remove Site Risk in Minutes**

June 9, 2022

Virtual



## **ICSC@NEW ENGLAND**

July 20-21, 2022

Boston Convention & Exhibition Center

Boston, Massachusetts,  
United States

**RESOLUTION NO. 2022-24**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS OF SAID CITY AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO TO CONSOLIDATE AND CANVASS THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10400 ET SEQ.; TO PERMIT THE COUNTY CLERK/REGISTRAR OF VOTERS OF THE COUNTY OF FRESNO TO RENDER SPECIFIED SERVICES TO THE CITY OF CITY OF ORANGE COVE RELATING TO THE CONDUCT OF SAID GENERAL MUNICIPAL ELECTION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10002; AND AUTHORIZING REIMBURSEMENT FUNDS TO PAY FOR SAID SERVICES**

**WHEREAS**, the next Statewide General Election to be held in the County of Fresno will take place on November 8, 2022; and

**WHEREAS**, the City of Orange Cove, intends to call and order a General Municipal Election on Tuesday, November 8, 2022, for the election of three (3) seats;

<b>Mayor</b>	<b>November 2022 - November 2026</b>
<b>City Council Member</b>	<b>November 2022 – November 2026</b>
<b>City Council Member</b>	<b>November 2022 – November 2026</b>

**WHEREAS**, it is the desire of the City Council of the City of Orange Cove to adopt a Resolution requesting the Board of Supervisors of the County of Fresno to consolidate said election with the Statewide General Election pursuant to Part 3 of Division 10 of the Elections Code of the State of California (commencing with Section 10400) to be held on the same date and that, within the City of Orange Cove, the precincts, vote center locations, ballot drop box locations, and election officers of the two (2) elections be the same; the County Clerk/Registrar of Voters canvass the returns of the General Municipal Election; and the election be held in all respects as if there were only one (1) election; and

**WHEREAS**, it is the desire of the City Council of the City of *Orange Cove* to adopt a Resolution requesting the Board of Supervisors of the County of Fresno to render specified services to the City of Orange Cove relating to the conduct of a General Municipal Election pursuant to Section 10002 of the Elections Code of the State of California; and

**WHEREAS**, Section 10002 of the Elections Code of the State of California requires the City of (insert city) to reimburse the County of Fresno in full for the services performed upon presentation of a bill to the city of Orange Cove.

**WHEREAS**, The City Council of the City of Orange Cove has determined that each candidate for elective office who submits a statement to be sent to the voters with the sample ballot shall be charged a sum not greater than the actual prorated cost of printing, handling and translating the candidate's statement, if any incurred by the agency as a result of providing this service.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE COVE** as follows:

**SECTION 1.** A General Municipal Election is called and ordered for the City of Orange Cove to be held on November 8, 2022, for the purpose of the election of Three (3) members of the City Council to represent at large each for a four (4) year term.

**SECTION 2.** Pursuant to the requirements of Section 10403 of the Elections Code of the State of California, the Board of Supervisors of the County of Fresno is hereby requested to consent and agree to the consolidation of the General Municipal Election and the Statewide General Election on November 8, 2022.

**SECTION 3.** In accordance with the provisions of Section 10403 of the Elections Code of the State of California, the City Council of the City of Orange Cove acknowledges that the consolidated election will be held and conducted in accordance with the provisions of law regulating the Statewide General Election pursuant to Section 10418 of the Elections Code of the State of California.

**SECTION 4.** The Board of Supervisors of the County of Fresno is requested to direct the County Clerk/Registrar of Voters to take any and all steps necessary for and related to the holding of the consolidated election in a manner consistent with law, including, without limitation: the provision of all election materials and equipment; publication of notices; the hiring, training and supervision of election officers and other election personnel; the printing and distribution of ballot materials; the translation of ballot materials; the collection of submitted ballots; the tallying and canvassing of votes; and the certification of election results.

**SECTION 5.** Pursuant to Section 10002 of the Elections Code of the State of California, the City Council of the City of Orange Cove authorizes reimbursement to the County of Fresno in full for the services to be performed as herein requested and that said sum be paid to the County of Fresno upon demand and presentation of a bill to the City of Orange Cove.

**SECTION 6.** The candidate shall, if he/she elects to submit a statement, of no more than 200 words, to be included with the sample ballot and sent to the registered voters, pay all costs associated with said election statement; Pursuant to California Elections Code Section 13307, the candidate is required to make an estimated pre-payment to the County at the time the candidate files the nomination papers.

**SECTION 7.** 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

**THE FOREGOING RESOLUTION WAS APPROVED AND ADOPTED** by the City Council of the City of Orange Cove at a regular meeting of the City Council held on May 11, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_





## County of Fresno

COUNTY CLERK/REGISTRAR OF VOTERS

JAMES A. KUS

April 29, 2022

City of Orange Cove  
Attention: June Lopez-Bracamontes  
633 Sixth Street  
Orange Cove, CA 93646

Re: Contests Eligible for November 8, 2022, Gubernatorial General Election  
Response Requested by July 1, 2022

Dear Ms. Lopez-Bracamontes:

Our records indicate your city has councilmember seats that are up for election at the November 8, 2022, Gubernatorial General Election. If your city would like the Fresno County Clerk/Registrar of Voters Office to conduct your election, California Elections Code Section 10002 requires the request be made by executed city resolution to the County of Fresno ("County").

The Candidate Nomination period opens July 18, 2022 and closes August 12, 2022. Please note that if an incumbent does not file, the nomination period is extended five calendar days to August 17, 2022, for non-incumbents only. The extension period does not apply to vacant seats.

Please plan to attend the City Clerk Training on Tuesday June 28, 2022, at 3:00 p.m. The training will be held at 4525 E. Hamilton Ave. Fresno, CA 93702. To assist candidates through the candidate filing process, our office has scheduled an in-person Candidate Filing Training for Monday July 11, 2022, at 5:30 p.m., (flyer enclosed). The training is open to anyone interested in running for office in the November 8, 2022, Gubernatorial General Election. Parking is available for both trainings.

We are attaching a sample resolution for consideration. Please consult with your attorney regarding the finalization of your resolution. We suggest your counsel review the following items, for inclusion in your resolution:

- California Elections Code §10229 – options regarding appointment by City Council after close of nomination period.

YOUR DIRECT LINK TO  
Fresno County Elections

★ [VoteFresnoCounty.com](https://VoteFresnoCounty.com) ★

2221 Kern Street • Fresno, California 93721  
Elections (559)600-8683 • Toll-Free (844)977-8683 • Fax (559)488-3279  
Email: [Clerk-Elections@FresnoCountyCA.gov](mailto:Clerk-Elections@FresnoCountyCA.gov)

The County of Fresno is an Equal Employment Opportunity Employer

## Elected Officials and Terms of Office

Please refer to the accompanying instructions for important information and instructions, before completion.

District Info: **City Of Orange Cove**  
633 6th St  
Orange Cove CA 93646-2451  
(559)626-4488 x  
<http://cityoforangecove.com/>

April 29, 2022

Contact 1: **Victor P. Lopez**  
City Mayor  
633 6th Street  
Orange Cove CA 93646-2451

Contact 2: **June V. Lopez-Bracamontes**  
City Clerk  
633 6th Street  
Orange Cove CA 93646-2451

Phone: (559)287-7239  
Fax: (559)626-4653  
Email:

Phone: (559)626-4488 214  
Fax: (559)626-4653  
Email: [jvb@cityoforangecove.com](mailto:jvb@cityoforangecove.com)

Ballot Heading(s):		Party	Elected/ Appointed	Term of Office
CITY CITY OF ORANGE COVE Mayor	Victor P Lopez Phone: (559)287-7239 Email: Web:	DEM	Elected	11/6/2018 to 11/8/2022
Member, City Council	Josie Cervantes Phone: (559)626-1815 Email: Web:	DEM	Appointed	11/3/2020 to 11/5/2024
Member, City Council	Diana Guerra Phone: (559)859-8365 Email: Web:	DEM	Appointed	11/3/2020 to 11/5/2024
Member, City Council	Roy Rodriguez Phone: (559)626-4892 Email: Web:	DEM	Elected	11/6/2018 to 11/8/2022
Member, City Council	Esperanza A Rodriguez Phone: (559)638-7858 Email: <a href="mailto:rodriguez-ho@kcsd.com">rodriguez-ho@kcsd.com</a> Web:	DEM	Elected	11/6/2018 to 11/8/2022

I have reviewed all information contained on this form  
and have indicated any changes necessary.

Please return form by the deadline  
specified in the cover letter.

Thank you for your help!

Signature

PRESIDENTIAL GENERAL ELECTION  
NOVEMBER 8, 2022

City of Orange Cove

NOTICE TO THE COUNTY ELECTIONS OFFICIAL  
CITY FACT SHEET

The **NOTICE TO THE COUNTY ELECTION OFFICIAL - CITY FACT SHEET** must be completed and returned with the following information **no later than (E-125) July 6, 2022** (California Elections Code §10509)

**1. INCUMBENT INFORMATION**

I have reviewed the attached Elected Officials and Terms of Office for the elective officers of the city. According to our records (check applicable box).

- ☐ The information is correct
- ☐ The information is incorrect. **I have marked needed changes and have listed the dates of vacancy and appointment** if they are different from the information on the Elected Officials and Terms of Office form attached.

**2. CANDIDATE STATEMENT.** Fresno County requires pre-payment of candidate statement at the time of filing nomination documents. See attached page of explanation.

The following will pay for the candidate statement:

- ☐ City                      ☐ Candidate      Word Limit: \_\_\_\_\_  
(usually 200 words)

The City has chosen to establish the following estimated cost of the candidate statement at the time of filing nomination documents:

- ☐ Accept County Clerk's estimated cost of: Mayor \$400.00; City Council \$400.00
- ☐ Provide City's estimated cost of the candidate statement

City's Estimated Cost: \_\_\_\_\_



4. **QUALIFICATIONS FOR OFFICE AS REQUIRED BY THE CITY.** Most qualifications are "Resident and Registered Voter of the District. Please specify other unique qualifications you may have in your City Charter.

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5. **PUBLICATION – NOTICE OF ELECTION**

The City requests the County Clerk publish the Notice of Election in the following Newspaper.

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6. **RESOLUTION CALLING FOR ELECTION.** Attached is a sample resolution that includes all the required information. You may use this example by filling in the blanks or create your own resolution that has all the same required information (California Elections Code Sections 10403, 10002).

- ☐ Enclosed is the resolution adopted by the City Council. The resolution **must** include a statement that the city will reimburse the Elections Official for the cost of the election. Who Pays for the Candidate Statement. The name of adjudicated "newspaper of general circulation" in your jurisdiction and

- ☐ Other

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DATE	SIGNED
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City of Orange Cove

**ESTIMATED COST OF THE CANDIDATE STATEMENT**

California Elections Code §13307

1. The County Clerk Department will provide an estimated cost for a candidate statement of 200 words. All statements include the estimated cost of an English and federally mandated Spanish translation. If the City allows 201 to 400 words, the price will double.
2. The County Clerk Department calculated the candidate statement cost estimates for the November 8, 2022, General Municipal Election for **City of Orange Cove** to be **Mayor \$400.00; City Council \$400.00**. The City must state the estimated cost for the candidate statement in Section 2 of the Notice to the County Election Official – City Fact Sheet and in the City's Resolution.
3. Fresno County requires each candidate filing a candidate statement to pay in advance (at the time of candidate filing) his or her estimated pro-rata share as a condition of having his or her statement included in the County Voter Information Guide (Board Agenda Item May 24, 2005).
4. The City may choose one of the following options:
  - A. Accept the County Clerk's estimated cost; or
  - B. Provide the City's estimated cost.
    - California Elections Code §13307(d) states "The Local Agency may estimate the total costs of printing, handling, translating, mailing, and electronically distributing the candidate's statements filed...."
    - If the City chooses to establish their own candidate statement estimate, the Elections Official will bill the City for the exact cost of all candidate statements. It will be the City's responsibility to reimburse all election costs to the Elections Official, regardless of any shortages resulting from a City's incorrect candidate statement estimate.