



AGENDA

Victor P. Lopez, Mayor

Diana Guerra Silva, Mayor Pro Tem

Roy Rodriguez, Council Member

Josie Cervantes, Council Member

Esperanza Rodriguez, Council Member

WEDNESDAY, JULY 13, 2022 - 6:30 P.M.

SENIOR CENTER

699 6th Street, Orange Cove, California 93646

LIVE MEETING

A. Call to Order/Welcome

Roll Call
Invocation
Flag Salute

B. Confirmation of Agenda

C. Presentation

1. Special Presentation by Fresno County Sheriff Margaret Mims in Appreciation of the Creek Fire
2. Presentation by Bertha Del Bosque regarding Spay and Neuter

D. Consent Calendar

3. City Council Minutes June 8, 2022 and June 13, 2022
4. Approve Resolution No. 2022-38 Application to the California State Dept. of Housing and Community Development for funding under the Cal Home Program; The Execution of a Standard Agreement if Selected for such funding and any amendments thereto; and any related documents necessary to participate in the Cal Home Program
5. Approval of Cost-of-Living Adjustment (COLA) of 3.5% for members of the Orange Cove Police Officers Association (OCPOA)

E. Administration

Chief of Police:

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

Recommendation: Informational Item Only

Public Works Department

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

Recommendation: Informational Item Only

Planning Department

8. **SUBJECT:** Monthly update report on City Projects Presented by Planner Shun Patlan

Recommendation: Informational Item Only

9. **SUBJECT:** Martinez Final Tract Map No. 6365

Recommendation: Council to consider approving Resolution No. 2022-37 Approving Martinez Final Tract Final Subdivision Tract Map No. 6365 (Yanez Construction) and approve the Subdivision Agreement for the Martinez Final Tract Map No. 6365

Mayor and City Councilmembers:

10. **SUBJECT:** League of California Cities Conference September 7-9, 2022 located in Long Beach

Recommendation: Council to give staff direction to designate a voting delegate and an alternate for the League of California Cities Conference

Interim City Manager:

11. **SUBJECT:** Financial Update (Verbal)

Recommendation: Informational Item Only

12. **SUBJECT:** Adoption of the Subsistence Payment Program Guidelines

Recommendation: Council to consider approving Resolution 2022-39 Approving the Adoption of the Subsistence Payment Program Guidelines

F. Public Forum

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

G. City Manager's Report

H. City Attorney's Report

13. SUBJECT: Second Reading and Adoption of Ordinance 391

Recommendation: Council to approve the second reading and adoption of Ordinance No. 391 by Title Only waive full reading AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ADOPTING THE POLICY MANUAL FOR THE ORANGE COVE CITY POLICE DEPARTMENT REGARDING MILITARY EQUIPMENT USE POLICY

I. City Council Communications

J. Closed Session:

- 14. Closed Session pursuant to Government Code Section 54957(b)(1):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Interim City Manager**
- 15. Closed Session pursuant to Government Code Section 54957(b)(1):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Engineer**
- 16. Government Code Section 54956.8
Conference with Real Property Negotiator
Property: APN 378-200-62
City Negotiator: Interim City Manager
Negotiating Parties: Blossom Heights – Brian Young
Under Negotiation: Price and Terms of Payment**
- 17. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to § 54956.9(c): 1 case**

K. Reconvene Council Meeting

L. 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 cityoforangecove.com.

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the City Council has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

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

GENERAL RULES OF DECORUM

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

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the mayor to speak.
4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The mayor shall then ask Councilmembers if they have comments or questions.

5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

ENFORCEMENT OF DECORUM RULES (Resolution No. 2012-16)

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

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

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

**MINUTES
REGULAR CITY COUNCIL MEETING
JUNE 8, 2022**

The regular meeting of the Orange Cove City Council was called to order at 6:30 p.m. at the Orange Cove Senior Center. Council members answering roll call were: Cervantes, E. Rodriguez, R. Rodriguez, Silva, and Mayor Lopez. Also present were Interim City Manager Hernandez, City Attorney Dodd, City Engineer Manrique, Police Chief Rivera, Planner Patlan and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

CONFIRMATION OF AGENDA: Interim City Manager Hernandez reported that, with Council's approval, Agenda Item 14 and 16 are being moved up on the agenda and that items 19, 20 and 21 are being tabled. After discussion, it was the consensus of Council to approve the recommended changes.

PRESENTATION BY ANGEL DURAZO, PRINCIPAL OF ORANGE COVE HIGH SCHOOL:

Mr. Angel Durazo, Principal of Orange Cove High School, appeared before the Council to introduce the top five students (Titan Towers) of this year's graduating class. He then introduced each student and their respective family members. All were congratulated and wished well in the future.

He reported that Orange Cove High School's girls' softball team had recently won its division as well as the State championship.

He also reported that he is leaving the High School to take another position within Kings Canyon Unified School District. He was wished well in his new position.

CONSENT CALENDAR: Motion to approve the Consent Calendar was made by Mayor Pro Tem Silva and seconded by Council member Roy Rodriguez. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, R. Rodriguez, Cervantes, E. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

- a. Minutes of the April 27, 2022 and May 11, 2022 regular Council meeting approved as written.
- b. City Warrants for May 2022 approved by standard motion.

PUBLIC HEARING – SOLICITATION OF CITIZEN INPUT ON POSSIBLE COMPETITIVE AND OVER THE COUNTER ACTIVITIES TO BE INCLUDED IN CDBG APPLICATIONS FOR FUNDING UNDER THE NEXT FISCAL YEAR (2022-2023) STATE OF CALIFORNIA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: This item had been moved up on the agenda earlier in the meeting.

Interim City Manager Hernandez introduced Ms. Susan Long, Project Director, Partner Services with Self-Help Enterprises who stepped forward to review the application for a CDBG grant to fund a Housing Rehabilitation Program and Homeless Navigation Center in the City of Orange Cove.

Mayor Lopez opened the public hearing at 7:13 p.m. and called for testimony from anyone wishing to speak. Discussion then occurred by the Council.

There being no one from the audience to comment, the public hearing was closed at 7:25 p.m.

Motion to approve **RESOLUTION NO. 2022-36, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2022-2023 FUNDING YEAR OF THE STATE CDBG PROGRAM** was made by Mayor Pro Tem Silva and seconded by Council member Cervantes. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, Cervantes, R. Rodriguez, E. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

ENGINEERING MONTHLY REPORT: City Engineer Manrique reviewed for the Council the current status of various City projects. He was thanked for the report.

CONSIDER APPROVAL OF RESOLUTION 2022-32, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE CLEAN CALIFORNIA GRANT PROJECT: After discussion, motion to approve **RESOLUTION NO. 2022- 32, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE RENOVATION OF SHERIDAN PARK AND ORANGE COVE WELCOME SIGNS** was made by Mayor Pro Tem Silva and seconded by Councilmember Cervantes. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, Cervantes, R. Rodriguez, E. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

PRESENTATION AND ADOPTION OF ANNUAL PROJECT LIST FOR SB 1 – FY 22-23:

City Engineer Alfonso Manrique reviewed for the Council the project list proposed to be funded in-part or solely with Fiscal Year 2022-2023 Road Maintenance and Rehabilitation Account revenues.

After discussion by Council, motion to approve **RESOLUTION NO. 2022-33, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2022-2023 FUNDED BY SB 1 – THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017** was made by Council member E. Rodriguez, and seconded by Council member R. Rodriguez. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: E. Rodriguez, R. Rodriguez, Cervantes, Silva, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

CONSIDER APPROVAL OF RESOLUTION NO. 2022-31, AUTHORIZING SUBMITTAL OF LOAN APPLICATION TO THE COMMUNITY ASSISTANCE CORPORATION FOR THE DEVELOPMENT OF THE ORANGE COVE ENERGY EFFICIENCY PROJECT: City Engineer Manriquez reviewed for the Council the next step in the development of the Orange Cove Efficiency Project.

Council member Roy Rodriguez questioned the payment of invoices prior to receipt of funds. He stated that he was of the understanding that the City would not have to expend any funds until the project was completed. He also stated that he feels the City should try to get out of the contract if possible.

Interim City Manager Hernandez stated that this Resolution would begin the process of applying for a loan to pay for construction costs and when the project is completed the City would apply for reimbursement from the State of California. He also reported that the City does have an executed contract with the State for reimbursement.

He then stated that according to the presentation made by Site Logic, the vendor, the project would not cost the City anything and that he will be talking to them about the interest charges on the loan.

City Attorney Megan Dodd then stated that the City should at least try to get the loan in order to show our due diligence. Then, if the loan is denied, the City has grounds to try and terminate the contract.

After further discussion, motion to approve **RESOLUTION NO. 2022-34, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE AUTHORIZING THE SUBMISSION OF A LOAN APPLICATION, THE INCURRING OF AN INDEBTEDNESS, THE EXECUTION OF A LOAN AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY TO SECURE A LOAN FROM THE RURAL COMMUNITY ASSISTANCE CORPORATION** was made by Mayor Pro Tem Silva and seconded by Council member E. Rodriguez. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, E. Rodriguez, Cervantes, R. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

CONSIDER APPROVAL OF RESOLUTION NO. 2022-35, AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 00000A011 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR THE STATE FUNDED PROJECT NO 06-5301S21 AND AUTHORIZING THE INTERIM CITY MANAGER TO ACT ON BEHALF FOR THE CITY OF ORANGE COVE:

City Engineer Manriquez reviewed for the Council the agreement authorizing Program Supplement 00000A011 on Project No. 06-5301S21 – the Pedestrian Sidewalk and Bike Path project. He reported that the supplement will pay for the environmental document phase of the project.

After discussion, motion to approve **RESOLUTION NO. 2022-35, AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 00000A011 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR THE STATE FUNDED PROJECT NO 06-5301S21 AND AUTHORIZING THE INTERIM CITY MANAGER TO ACT ON BEHALF FOR THE CITY OF ORANGE COVE** was made by Mayor Pro Tem Silva and seconded by Council member Cervantes. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, Cervantes, E. Rodriguez, R. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

POLICE DEPARTMENT MONTHLY REPORT (MAY 2022): Police Chief Rivera reviewed the current monthly crime and animal shelter statistics for the Council and those present. He was thanked for the report.

CONSIDER APPROVAL OF POLICE FIRING RANGE AT THE ORANGE COVE WASTEWATER TREATMENT PLANT: Police Chief Rivera appeared before Council to request approval to use the City's vacant ponding basin located near the Wastewater Treatment Plant for a Police Department shooting range.

After discussion regarding safety, increased training and cost savings to the City motion was made by Mayor Pro Tem Silva and seconded by Council member E. Rodriguez to approve the proposed Police Department shooting range. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, E. Rodriguez, Cervantes, R. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

PUBLIC WORKS MONTHLY REPORT: Interim Public Works Superintendent Valencia reviewed for the Council the current status of the Water, Wastewater Treatment Plant and Public Works Departments. He was thanked for the report.

PLANNING DEPARTMENT MONTHLY REPORT: Planner Shun Patlan reviewed for the Council the status of current City projects. He was thanked for the report.

REVIEW AND DISCUSSION ON A REQUEST FOR APPROVAL OF AN ONSITE TEMPORARY ENGINEERED SEPTIC SYSTEM AT BOOTH RANCH LOCATION AT 770 ANCHOR AVENUE WITH RECOMMENDED "CONDITIONS OF APPROVAL" AS LISTED ON EXHIBIT A: City Planner Patlan stepped forward to let the Council know that a request has been received from Booth Ranch to allow for the installation of a temporary engineered septic system because the City's sewer lines do not reach their area. It was reported that this practice has been allowed in the past as long as the applicant agrees to connect to the City lines once they are made available.

After discussion, motion to approve the request by Booth Ranch for the installation of a temporary engineered septic system with conditions was made by Council member Cervantes and seconded by Mayor Pro Tem Silva. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Cervantes, Silva, E. Rodriguez, R. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

PRESENTATION OF FINANCIAL UPDATE: Interim City Manager Hernandez presented to Council an update on various City projects. He was thanked for the report

REQUEST FOR LOAN BY JULIA LOPEZ DAY CARE CENTER TO PAY EMPLOYEES AND VENDORS: Interim City Manager Hernandez reported that a request has been received from the Julia Lopez Day Care Center for a loan to cover salaries and expenditures just until their 4th apportionment is received from the State of California. It was reported that the payment has been approved by the State but the funds have yet to be released.

Interim City Manager Hernandez stated that if approved, the amount loaned would be deducted from the amount received from the State. He also stated that this practice has been done in the past and the amount loaned has always been paid back by the Day Care Center.

It was then determined that \$65,000 would meet their immediate need.

After further discussion, motion was made by Council member Roy Rodriguez and seconded by Mayor Lopez to loan the Julia Lopez Day Care Center \$65,000 and as payback to deduct it from their 4th quarter apportionment when it is received by the City. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: R. Rodriguez, Lopez, Silva, Cervantes, R. Rodriguez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

REVIEW AND DISCUSSION REGARDING CONFLICT-OF-INTEREST POLICY: City Attorney Dodd reviewed for the Council the proposed changes to the City of Orange Cove's Conflict-of-Interest Policy. She stated that the changes cover the employment of relatives.

After discussion, motion to approve the recommended changes to the City of Orange Cove's Conflict-of-Interest Policy was made by Mayor Pro Tem Silva and seconded by Mayor Lopez. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, Lopez, E. Rodriguez, Cervantes, R. Rodriguez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

REQUEST TO CANCEL REGULAR COUNCIL MEETING OF JUNE 22, 2022: Interim City Manager Hernandez reported that there would not be a quorum for the next regular City Council meeting on June 22, 2022 and therefore is recommending that the meeting be cancelled.

Motion to cancel the June 22, 2022 regular City Council meeting was made by Mayor Pro Tem Silva and seconded by Council member Cervantes. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Silva, Cervantes, E. Rodriguez, R. Rodriguez, Lopez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

REVIEW AND DISCUSSION REGARDING THE COST-OF-LIVING ADJUSTMENT FOR CITY EMPLOYEES: This item was tabled earlier in the meeting.

PUBLIC FORUM: Mr. David Lopez stepped forward to let the Council know that he had received a call from Pyro Spectaculars letting him know that their fireworks contract had yet to be received from the City. It was reported that they would be contacted and the matter placed on the June 13, 2022 Special Meeting Agenda for action.

Mr. Manuel Ferreira stepped forward to congratulate the Titan Towers who appeared earlier in the meeting. He also stated that he would like to see full-time officers at all schools.

Ms. Charlotte Pavelko, representing the Library, reported on the summer reading programs for area children and Orange Cove citizens.

CITY ATTORNEY'S REPORT – INTRODUCTION AND FIRST READING OF ORDINANCE NO. 391, BY TITLE ONLY, ADOPTING THE POLICY MANUAL FOR THE ORANGE COVE CITY POLICE DEPARTMENT REGARDING MILITARY EQUIPMENT USE: This item had been tabled earlier in the meeting.

CLOSED SESSION: Interim City Manager Hernandez reported that this item would not be needed and had been tabled earlier in the meeting.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:28 p.m.

Respectfully submitted,

June V. Bracamontes
City Clerk

**MINUTES
SPECIAL CITY COUNCIL MEETING
JUNE 13, 2022**

A special meeting of the Orange Cove City Council was called to order at 5:30 p.m. at the Orange Cove Senior Center. Council members answering roll call were: Cervantes, E. Rodriguez, R. Rodriguez, and Mayor Lopez. Mayor Pro Tem Silva was absent. Also present were Interim City Manager Hernandez, City Attorney Dodd, Police Chief Rivera, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

CONFIRMATION OF AGENDA: After discussion, the Council moved to approve the Agenda as presented.

INTRODUCTION AND FIRST READING (BY TITLE ONLY) OF ORDINANCE ADOPTING THE POLICY MANUAL FOR THE ORANGE COVE POLICE DEPARTMENT REGARDING MILITARY EQUIPMENT USE POLICY: After discussion, motion to introduce for first reading (by title only) **ORDINANCE NO. 391, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ADOPTING THE POLICY MANUAL FOR THE ORANGE COVE POLICE DEPARTMENT REGARDING MILITARY EQUIPMENT USE POLICY** was made by Council member R. Rodriguez and seconded by Council member Cervantes. Motion carried with the following vote:

AYES:	4	COUNCIL MEMBERS:	R. Rodriguez, Cervantes, E. Rodriguez, Lopez
NOES:	0	COUNCIL MEMBERS:	None
ABSTAIN:	0	COUNCIL MEMBERS:	None
ABSENT:	1	COUNCIL MEMBERS:	Silva

CONSIDERATION AND NECESSARY ACTION ON CONTRACT WITH PYRO SPECTACULARS FOR PYROTECHNICAL (FIREWORKS) SERVICES FOR INDEPENDENCE DAY EVENT: Interim City Manager Hernandez reviewed for the Council the projected costs for holding the annual fireworks show in the City of Orange Cove.

Discussion by Council then occurred regarding streamlining the event costs.

After discussion, it was the consensus of Council to approve the fireworks contract for \$15,000, the band for \$1,600, to delete the stage, to add lighting to the parking lot at an estimated cost of \$500, and to approve a projected City employee overtime cost of \$1,733.

Motion to approve the contract with Pyro Spectaculars for \$15,000 with the above additional costs was made by Mayor Lopez and seconded by Council member R. Rodriguez. Motion carried with the following vote:

AYES: 4 COUNCIL MEMBERS: Lopez, R. Rodriguez, E. Rodriguez, Cervantes
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 1 COUNCIL MEMBERS: Silva

CONSIDERATION AND NECESSARY ACTION OF THREE-YEAR CONTRACT WITH KINGS CANYON UNIFIED SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER SERVICES FOR 2022-2023, 2023-2024 AND 2024-2025 SCHOOL YEARS: Police Chief Rivera reviewed for the Council the proposed three-year contract with Kings Canyon Unified School District for school Resource Officer services.

After discussion, motion to approve the contract with Kings Canyon Unified School District for School Resource Officer services was made by Council member Cervantes and seconded by Mayor Lopez. Motion carried with the following vote:

AYES: 4 COUNCIL MEMBERS: Cervantes, Lopez, E. Rodriguez, R. Rodriguez
NOES: 0 COUNCIL MEMBERS: None
ABSTAIN: 0 COUNCIL MEMBERS: None
ABSENT: 1 COUNCIL MEMBERS: Silva

RECESS: Mayor Lopez recessed the meeting into closed session at 5:54 p.m.

CLOSED SESSION: The purpose of the closed session was to conduct a conference with the City's Labor Negotiator.

RECONVENE: Mayor Lopez reconvened the meeting at 6:44 p.m. with nothing to report in the open session of the meeting

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

June V. Bracamontes
City Clerk

RESOLUTION NO. 2022-38

THE GOVERNING BOARD

OF CITY OF ORANGE COVE

HEREBY AUTHORIZES THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE CALHOME PROGRAM.

WHEREAS:

- A.** The City of Orange Cove applied for an allocation of funds through the CalHome Program; and
- B.** The California Department of Housing and Community Development (hereinafter referred to as "HCD") issued a Notice of Funding Availability ("NOFA") on September 21, 2021 for the CalHome program established by Chapter 84, Statutes of 2000 (SB 1656 Alarcon), and codified in Chapter 6 (commencing with Section 50650) of Part 2 Division 31 of the Health and Safety Cod (the "statute. Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the CalHome program, subject to the terms and conditions of the statute and the CalHome Program Regulations adopted by HCD in April 2004; and
- C.** The City of Orange Cove submitted an application to obtain from HCD an allocation of CalHome funds up to the amount of \$600,000.

IT IS NOW THEREFORE RESOLVED THAT:

- 1. The City of Orange Cove shall submit to HCD an application to participate in the CalHome Program in response to the NOFA issued on September 21, 2021, which request a funding allocation for the following activities: First-Time Homebuyer Assistance for \$300,000 and Owner-Occupied Rehabilitation for \$300,000 located in the City of Orange Cove.
- 2. If the application for funding is approved, the City of Orange Cove hereby agrees to use the CalHome funds for eligible activities in the manner presented in the application as approved by HCD and in accordance with program regulations cited above. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timeliness represented in the application are enforceable through the Standard Agreement. The City of Orange Cove acknowledges

and agrees that it may be required to execute any and all other instruments necessary or required by HCD for participation in the CalHome Program.

3. The City of Orange Cove authorizes the City Manager or designees to execute in the name of the City of Orange Cove, the application, the Standard Agreement, and any subsequent amendments or modifications thereto, as well as any other documents required by HCD for participation in the CalHome Program, and any amendments thereto.

PASSED AND ADOPTED this XX Day of July, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The undersigned City Clerk of the City of Orange Cove there before named does hereby attest and certify that the foregoing is a true and full copy of a resolution of the Governing Board adopted at a duly convened meeting on the date above-mentioned, which has not been altered, amended or repealed.

NAME, City Clerk of Orange Cove

Date



Marty Rivera
Chief of Police

ORANGE COVE ANIMAL CONTROL STATISTICAL ACTIVITY REPORT

MONTH: June

OFFICER: R. DIAZ

BITE REPORTS	0
PRIOR MONTH STRAYS	5 from prior month
STRAY DOGS	20 Picked up in June
EUTHANIZED DOGS	3 in June
ADOPTED DOGS	1 Poodle Mix
RESCUED DOGS	9 in June
INJURED STRAY DOGS	
ANIMAL CRUELTY INVESTIGATIONS	0
RELEASED DOGS TO OWNER	8 in June
CITATIONS ISSUED	1
QUARANTINED DOGS	
OTHER ANIMAL	
MISC	
DOGS IN SHELTER	4 in shelter

NOTES	
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ORANGE COVE POLICE DEPARTMENT

June 2022 MONTHLY STATISTICS
CHIEF OF POLICE - MARTY RIVERA



PART 1 CRIMES

	MAY	JUNE	%	YTD	YTD
	2022	2022	Change	2021	2022
Homicide	0	0	0%	0	1
Rape	0	0	0%	0	0
Attempted Murder	0	0	0%	1	1
Robbery	0	0	0%	0	1
Assault	1	0	-100%	4	5
Burglary	0	5	500%	13	12
Grand Theft Auto	4	2	-50%	6	17
Total Part 1 Crimes	5	7	40%	24	37

	MAY	JUNE	%	YTD	YTD
	2022	2022	Change	2021	2022
Sex Crimes	1	0	-100%	5	7
Narcotics	2	3	50%	17	21
Child Abuse	2	0	-100%	3	3
Total Part 2 Crimes	5	3	-40%	25	31

	MAY	JUNE	%	YTD	YTD
	2022	2022	Change	2021	2022
Total Traffic Collisions	6	4	-33%	20	27
Fatalities	0	0	0%	0	0
Injury	1	0	-100%	0	4
Non Injury	5	4	-20%	11	17
Hit & Run	0	0	0%	9	6

ENFORCEMENT STATISTICS

	MAY	JUNE	%	YTD	YTD
	2022	2022	Change	2021	2022
Total Traffic Citations	14	39	179%	144	117
Total Vehicle Stops	133	139	5%	528	630
Seatbelt Violations	1	0	-100%	8	3
Unsafe Speed Violations	1	0	-100%	10	4
Fail To Obey Stop Sign/Light	4	3	-25%	31	13
Driving Under the Influence	1	2	100%	10	9
Gang Arrests - Felony	0	0	0%	0	0
Gang Arrests - Misdemeanor	0	0	0%	0	0
Gang Field Interview Cards	3	1	-67%	17	15
Juvenile Detentions/Arrests	0	2	200%	3	5
Adult Arrests	10	13	30%	67	75

	MAY	JUNE	%	YTD	YTD
	2022	2022	Change	2021	2022
5150	6	8	33%	28	44
Agency Assist	10	12	20%	50	51
Battery	1	0	-100%	9	7
Evading/Obstructing Officer	1	3	200%	5	7
Fraud	0	3	300%	1	3
Identity Theft	0	0	0%	2	0
Spousal Abuse	5	4	-20%	25	27
Graffiti/Vandalism	4	4	0%	18	24
Veh. Burglaries	0	0	0%	1	2
General Incidents	21	16	-24%	86	98
Weapons Confiscated	0	3	300%	3	10
Petty Theft	1	1	0%	19	14
Public Intoxication	1	2	100%	6	9
Suspended License	1	1	0%	10	8
Unlicensed Drivers	5	13	160%	48	42
Vehicles Towed	7	17	143%	59	64
Vehicles Released	1	10	900%	29	30
Case Number Drawn	124	149	20%	782	794

POLICE DEPARTMENT MONTHLY REPORT

July 13, 2022

Staff levels..... Department is at full staff. Reserve Officer Ngo is still off injured shoulder. We are starting background on new Reserve Officer. One officer has applied to another agency. Keep in mind that it costs us approximately \$10,000 to replace each officer that leaves.

Sylvia Gonzales and Janeyra who both work in Records, would like to get out from being represented by SEIU who represent everyone except police Officers. They do not feel like they are being represented in a satisfactory manner and are just paying dues without receiving any benefit from the union. They would like to be represented as employees at the police department rather than clerical workers for the city.

Animal Shelter.... The AC unit went out and we had to replace it.

Several weeks ago, training was provided to all the public works employees so that they could clean the shelter on weekends and holidays. The police department would handle any dogs to be picked up. The cleanup and feeding of the dogs on weekends take up approximately 30 minutes each day. The on-call worker at public works should be able handle it without any problem. When are they going to start doing it ?

Events: Fireworks was a success. Lots of people in attendance. The police explorers along with the fire department had a hot dog booth at the event. The Lopez family had two booths, there was also tacos and pizza available. DJ Music was enjoyed by all.

Grants

Tobacco Grant ended June 30th.

COPS hiring grant We were unable to submit the application completed by Susan Long, due to issues with SAMS. GOV registration not being completed on time. Rafael worked on getting the issues resolved but since they were working from home we kept getting rejected and eventually time ran out. Back in April June checked on paperwork needed to submit for grants and was told we were ready, and nothing needed to be done.

Vehicles ..Vehicles can't be ordered until probably sometime in August. Meaning they won't arrive until late spring 2023.

Body Cams/Tasers Officers have been trained and issued new body cams and new tasers.

MOUs Have been completed with Adventist Health, Fresno SO and KCUSD.

K-9 Marko We have had the drug dog since 2014. Although he does very well in finding drugs when we do presentations, he has had almost no drug finds on vehicles. I kept being told that he did find drug debris such as a cigarette butt.

We spend a significant amount of money on dog food, veterinarian bills besides the money spent on the handler's time to train and care for the dog. Additionally, we spend thousands of dollars for vehicle fuel since the K-9 officer is also allowed a take home car.

The K-9 officer has requested to get out of his duties as the k-9 handler. The dog probably would not be used more than another year or so. Normally the k-9 handler is allowed to keep the dog after paying one dollar for him.

Our recommendation is to temporarily stop the program. I am asking that the council discuss and give us direction as to what they want to do.



Meeting Date: 7/12/22

Agenda Item:

REPORT TO: City Council

REPORT FROM: Shun Patlan, Planner/Tristan Suire Reviewed By: _____

AGENDA ITEM: Martinez Final Tract Map No. 6365

ACTION REQUESTED: ☐ Ordinance ☒ Resolution ☐ Motion ☐ Receive/File

RECOMMENDED ACTION BY CITY COUNCIL

1. That the City Council adopt Resolution 2022-31, approving Martinez Final Tract Final Subdivision Tract Map No. 6365 (Yanez Construction) subject to the following amendment(s) and condition(s):
2. That City council Approve the Subdivision Agreement For the Martinez Final Tract Map No. 6365.

EXECUTIVE SUMMARY

The applicant, Yanez Construction (Efrain Yanez), is seeking approval of a final subdivision map containing 18 lots and located on the northside of Martinez Street, west of Anchor Avenue in Orange Cove. This planning application constitutes a "project" under the California Environmental Quality Act (CEQA). The application is as follows:

The proposed tentative subdivision map proposes 18 residential lots situated on a cul-de-sac street, which measures approximately 423 feet in length. Said street tees into Martinez Street. The proposed subdivision is located in the southeast quadrant of the City of Orange Cove.

The subject property is within the planning area of the Orange Cove General Plan, which designates the property as medium density residential. The proposed project is consistent with this land use designation, and the development standards of the R-1-6 district.

The Environmental Impact Report (EIR) prepared for the Orange Cove General Plan discussed the impacts associated with urbanization and residential development and adopted a "Statement of Overriding Consideration". For this particular project, staff has filed a Mitigated Negative Declaration on the

proposed tentative subdivision map. The Mitigated Negative Declaration is a finding that the project will mitigate any potentially significant impacts below the level of significance, and therefore that there are no significant impacts beyond the environmental impacts discussed in the EIR prepared for the Orange Cove General Plan.

FINANCIAL INFORMATION/FISCAL IMPACT

The project will produce the following fiscal impacts:

*General Fund – The project will increase the city's general fund with approximately \$36,000.00 in new building permit fee revenues as the project builds out.

*Development Impact Fees – The project will increase the city's development impact fee funds with approximately \$265,276.00 in new impact fees.

PRIOR ACTION / REVIEW

Compliance with the Orange Cove General Plan, Land Use Element which details policy and design guidelines for the subject property as well as surrounding properties. City staff has worked with project engineers through a number of iterations of the tentative subdivision map to achieve compliance with the Orange Cove Zoning Ordinance.

BACKGROUND

Location: The subject property is located on the north side of Martinez Street, between Anchor Ave and Lopez Lane in Orange Cove. The APN is 378-030-41 (3.725 acres).

Request: The proposed tract map proposes 18 single-family residential lots.

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: _____



Stormwater runoff will be conveyed to one of Orange Cove's nearby storm drainage basins. A grading and drainage plan that will be submitted by the developer will determine the exact location and means by which the storm water will be managed.

Zoning: The site is currently zoned at R-1-6. Surrounding zoning is as follows:

North: General Commercial
South: Medium Density Residential
East: Central Commercial and Public Facilities
West: Medium Density Residential

Development standards for R-1-6 district are as follows:

Lot Area: Minimum of 6,000 feet.
Lot Width: Interior lots have a minimum width of 60 feet, corner lots have a minimum width of 65 feet, and curved lots have a minimum width of 40 feet.
Lot Depth: Lots facing local streets have a minimum depth of 100 feet.
Front Yard Setback: Minimum of 20 feet.
Side Yard Setback: Interior lots have a minimum side yard of 5 feet. Corner lots have a minimum of 10 feet for side yards abutting a street.
Rear Yard Setback: Minimum of 20 feet.
Lot Coverage: Maximum lot area covered by buildings or structures is 40%.
Population Density: Minimum 12,000 square feet of lot area per dwelling unit.
Building Height: Maximum two stories, or 30 feet in height.

Land Use: The site is currently vacant. Surrounding land uses are as follows:

North: Vacant lot
South: Single-family residential neighborhood
East: Shopping center with grocery store and restaurant.
West: Single-family residential neighborhood.

Conclusions:

Subdivision: The subdivision is consistent with City of Orange Cove's Zoning Ordinance and Construction Standards, and the applicant has submitted the required information and applications to be considered for approval of the submitted final map. The proposed lots all exceed 6,000 square feet with the largest over 8,000 square feet, arranged along a cul-de-sac with

18 total parcels. The project is consistent with the Orange Cove General Plan and represents a logical extension of the urbanized part of the city.

Environmental Review: The “project” consists of the application for a tentative subdivision map. A mitigated negative declaration has been prepared for this project. Staff made the finding that there is a potentially significant impact to utilities and service systems, specifically water supply, which has been reduced to a less than significant level with the incorporation of mitigation measures detailed in the MND. Further, the EIR prepared for the Orange Cove General Plan thoroughly discussed the impacts of urbanization and residential development. The City adopted a “Statement of Overriding Consideration” regarding the EIR prepared for the Orange Cove General Plan.

ATTACHMENTS

1. Martinez Final Tract Map No. 6365 Final Map
2. City Council Resolution 2022-__

RESOLUTION NO. 2022 - 37

A RESOLUTION BEFORE THE CITY COUNCIL, CITY OF ORANGE COVE, STATE OF CALIFORNIA APPROVING AN APPLICATION FOR A FINAL SUBDIVISION MAP TRACT NO. 6365, A REQUEST TO SUBDIVIDE 3.725 ACRES INTO EIGHTEEN NUMBERED LOTS LOCATED WITHIN THE R-1-6 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 6,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED ON THE NORTH SIDE OF MARTINEZ STREET, WEST OF ANCHOR AVENUE (APN: 378-030-41).

WHEREAS, the Martinez Final Subdivision Map Tract No. 6365 is a request submitted by Yanez Construction (Efrain Yanez), to subdivide 3.725 acres into eighteen numbered lots located within the R-1-6 (Single-family Residential, 6,000 square foot lot size) zone. The project site is located on the north side of Martinez Street, west of Anchor Avenue, (APN: 378-030-41); and,

WHEREAS, The City Council finds the final subdivision map in accordance with Chapter 16.24 of the Subdivision Ordinance of the City of Orange Cove, based on the evidence contained in the staff report and testimony presented at the public hearing; and,

WHEREAS, the City Council finds that the project will not have a significantly adverse impact on the environment, the lead agency has prepared environmental review documents pursuant to the California Environmental Quality Act (CEQA), and Final Map approval is statutorily exempt pursuant to Cal. Code of Regs., Sec. 15268(b)(3); and,

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Orange Cove hereby makes the following findings:

1. That the proposed location and layout of the Martinez Final Subdivision Map No. 6365, its improvement by design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed Martinez Final Subdivision Map No. 6365, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site shares a border with existing residential development.
3. That the site is physically suitable for the Martinez Final Subdivision Map No. 6365 and has been determined to be in conformity with all provisions of Title 16 of the Orange Cove Municipal Code, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
4. That the proposed Martinez Final Subdivision Map No. 6365 design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The eighteen-lot subdivision is designed to comply with the City of Orange Cove Standard Construction Drawings standards.

5. That the preliminary soils report required by Orange Cove Municipal Code Sec. 16.24.030 has been submitted and deemed adequate by the City Engineer.
6. That the location and configuration of the lots to be created by the Martinez Final Subdivision Map No. 6365 substantially conform to the previously approved Tentative Subdivision Map.

BE IT FURTHER RESOLVED that the City Council of the City of Orange Cove hereby approves the Final Subdivision Map No. 6365 located on the real property herein above described in accordance with the terms of this resolution under the provisions of Chapter 16.24 of the Subdivision Ordinance Code of the City of Orange Cove.

The foregoing resolution was adopted upon a motion by Councilmember _____,
Councilmember _____ seconded the motion at a regular meeting of the Orange Cove City Council on the 12th of July, 2022, and carried by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Victor P. Lopez, Mayor

City Clerk

CITY OF ORANGE COVE
SUBDIVISION AGREEMENT

TRACT NO. 6365, Martinez Subdivision

THIS SUBDIVISION AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2022, by and between Yanez Construction, LLC ("SUBDIVIDER"), and the City of Orange Cove, a Municipal Corporation ("CITY").

RECITALS

A. The SUBDIVIDER has presented to the CITY a final map of the proposed Subdivision of certain real property located within the city limits of the City and more particularly described in Exhibit "A" which has been filed with the City Engineer and is made a part hereof by reference ("Final Map") and identified as Martinez Tract Map No. 6365. The real property is to be developed in accordance with subdivision improvement plans, which have been filed with the City Engineer and are made a part hereof by reference and identified as Exhibit "B" (Improvement Plans). Subdivider has requested that the CITY accept and approve the Final Map and the dedications delineated and shown on the Final Map for the use and purposes specified thereon, and otherwise approve the Final Map in order that the same may be recorded as required by law.

B. The CITY requires as a condition precedent to the acceptance and approval of the Final Map, the dedication of such streets and easements as are delineated and shown on the Final Map and deems the same as necessary for the public use and requires that any and all streets and easements delineated and shown thereon shall be improved by the construction thereon and the installation therein of the improvements specified herein.

C. Certain public improvements are required to be made by SUBDIVIDER in accordance with the approved tentative map of the Subdivision. Section 66462 of the California Government Code provides, as a condition precedent to the approval of the Final Map, that the City Council shall require the SUBDIVIDER to enter into an agreement to complete said public improvements.

D. SUBDIVIDER, agrees to enter into an agreement with the CITY to perform and complete the work and matters as hereinafter described in this Agreement;

NOW THEREFORE, it is hereby agreed as follows:

1. Improvements.

SUBDIVIDER shall complete all required public improvements in the Subdivision as identified in Exhibit "B" of this Agreement (collectively "Improvements") and in accordance with all of the requirements and standards as set forth in the approval or conditional approval of the Tentative Map of the Subdivision, the Orange Cove Municipal Code, all applicable laws, codes and regulations and the terms and conditions of this Agreement. In accordance with this agreement, all of the Improvements shall be completed no later than two years from the date of approval of this Agreement by the City of Orange Cove. A request to extend the time for completion of the Improvements must be in written form and received by the CITY not less than thirty (30) days prior to expiration of this Agreement and shall include facts in support of its request for such extension of time. Only the City shall have the authority to extend such time period. The extension period shall not exceed twelve (12) months.

Within thirty (30) days after the SUBDIVIDER notifies the City Engineer that the required work has been completed, the City Engineer shall inspect such work, and if such work has been performed in the required manner and in accordance with this Agreement, the Final Map, the Orange Cove Municipal Code and all other applicable laws, codes and regulations, the City Engineer shall advise the City Council that the public improvements are ready for acceptance by the CITY.

2. Inspection.

The CITY shall inspect all work in accordance with Section 16.44.080 of the Orange Cove Municipal Code including the SUBDIVIDER'S conformance with the CITY Standard and Specifications and any and all conditions, standards or requirements identified at the preconstruction conference held prior to commencing construction.

CITY shall schedule a preliminary final inspection and a deficiency list shall be compiled and submitted to the SUBDIVIDER for correction. Upon completion of all corrections or additional work as outlined by the deficiency list, the SUBDIVIDER shall certify in writing that all corrections have been completed and request a final inspection. Upon finding that all items have been corrected and upon receipt of as-built improvement plans, the Improvements may be provisionally accepted by the CITY pending approval of the final map and subdivision agreement for Martinez Final Tract Map No. 6365, by the City Council.

The completion of corrections indicated by the deficiency list shall not relieve the SUBDIVIDER from the responsibility of correcting any deficiency not shown on the list that may be subsequently discovered. Should the CITY require payment of additional engineering and inspection fees and costs for improvements constructed after the stated date of completion, the SUBDIVIDER must pay said additional fees and costs prior to acceptance by the City Council of the improvements.

3. Costs and Fees.

The SUBDIVIDER shall be responsible for the work, including without limitation, the costs identified in the Improvement Cost Estimate attached hereto and made a part hereof and identified as Exhibit "C" to this Agreement. SUBDIVIDER agrees to the amount thereof and agrees to pay, when due, all amounts identified therein, including without limitation, all CITY engineering and inspection fees.

4. Security.

SUBDIVIDER agrees to furnish security, which complies with Section 66499 et. seq. of the California Government Code, in such amounts as are fixed by the CITY, to guarantee the faithful performance of this Agreement, including without limitation, the construction of the improvements and to guarantee payment to contractors, subcontractors, laborers, material men and other persons employed in the performance of the work under this Agreement. In the sole discretion of the CITY and with the written authorization of the CITY, the sureties provided by the SUBDIVIDER may be released in whole or in part in the following manner:

(a) Faithful performance sureties, not in excess of ninety percent (90%) of the estimated costs of the individual items of public improvements, may be released or the required surety amounts may be reduced as work is satisfactorily completed and tentatively accepted by the CITY.

(b) Forty-five (45) days after recordation of the Notice of Completion for the Subdivision, the sureties securing the payment to contractors and subcontractors and to persons furnishing labor, materials, or equipment may be released if claims, including without limitation, stop notices have not been filed.

(c) Ten percent (10%) of the total faithful performance surety, retained as the public improvement warranty, may be released one year after the Notice of Completion has been recorded. In the alternative, SUBDIVIDER shall provide CITY with new warranty security of not less

than ten percent (10%) of the Improvement Cost Estimate identified in Exhibit "C" hereto, which security shall have a term of one (1) year from the date of recordation of the Notice of Completion.

In accordance with Section 16.44.040 of the Orange Cove Municipal Code, the SUBDIVIDER shall furnish, in writing, proof of adequate security deposit to all utility companies for the installation of electricity, gas, telephone, cable television and any other utility which charges are not part of the Improvement Cost Estimate set forth in Exhibit "C."

No final map shall be signed by the City Engineer or recorded until all improvement securities required by Section 16.44.040 of the Orange Cove Municipal Code and under this Agreement have been received and approved. The form of securities shall be one or the combination of forms as approved by the CITY.

5. Liability.

As a condition precedent and prior to commencement of the work to be performed pursuant to this Agreement, SUBDIVIDER shall furnish the CITY with a certificate of insurance with a separate endorsement evidencing the following insurance coverages:

Commercial and general liability insurance with a combined single limit of not less than One Million Dollars (\$1,000,000.00) per occurrence. Such insurance shall include products/completed operations liability, owners and contractor's protective blanket contractual liability, personal injury liability, broad form property damage coverage and explosion, collapse and underground hazard coverage. The insurance shall name the CITY, its appointed and elected officials, officers, employees and agents as additionally insureds; and be primary with respect to any insurance or self-insurance programs maintained by the CITY, and shall protect them from claims for personal injury, death or property damage suffered by third persons or by officers, employees, agents or independent contractors of the SUBDIVIDER, and arising out of or in connection with the work, which is the subject of this Agreement. Such policy or policies shall specifically provide that the CITY shall receive at least thirty (30) days prior written notice of any cancellation of such policy or policies. Any such notice shall be sent to the attention of the City Engineer. Notwithstanding an inconsistent statement in the insurance policy or certificate or subsequent endorsement attached thereto, the CITY shall be insured or named as an additional insured covering the work which is the subject of this Agreement, whether liability is attributable to the SUBDIVIDER or to the passive or active negligence of the CITY. The insurance shall be in effect on the date the work is commenced and shall expire no sooner than one year after the date of recordation of the Notice of Completion. The cost of providing this insurance requirement shall be borne solely by the SUBDIVIDER.

The expiration or proposed cancellation of any such insurance policy or policies, for any reason whatsoever, shall constitute a material breach of this Agreement.

6. Indemnification.

SUBDIVIDER hereby agrees to and shall protect, indemnify and hold harmless the CITY and all officials, officers, agents, representatives and employees thereof from and against any and all liability, loss, claims or damages of whatsoever kind or character, including attorneys' fees and costs of all types, in any way arising out of, or in any way related, directly or indirectly, to the work to be performed pursuant to this Agreement or the acts or omissions of the SUBDIVIDER, SUBDIVIDER's independent contractors, employees, representatives, agents and invitees, and the passive or active negligent acts or omissions of the CITY or its officers or employees and agents while acting within the scope of their duties and regarding, in any way, the work to be performed pursuant to this Agreement. These indemnification and hold-harmless provisions shall be in full force and effect regardless of whether or not there shall be insurance policies covering the applicable to such damages, claims, or liability. This indemnification shall be binding upon the SUBDIVIDER whether or not there are any allegations of fault, negligence or liability of the parties indemnified hereunder and shall survive the completion of construction of the improvements.

SUBDIVIDER agrees that the use of any and all public streets and improvements, which are part of the Subdivision subject, shall be at all times, prior to the final acceptance by the CITY, the sole and exclusive risk of the SUBDIVIDER.

7. Permits and Compliance.

Should SUBDIVIDER be required to perform any work within any public rights-of-way or easements located beyond the Subdivision limits, SUBDIVIDER shall satisfy any and all requirements, other than the payment of fees, as necessary to obtain an encroachment permit for said work.

SUBDIVIDER shall make arrangements for the relocation of all overhead and underground public utility facilities that interfere with the construction of the Improvements. The SUBDIVIDER shall be responsible for the full cost of relocating such facilities.

The SUBDIVIDER shall repair any damage to public streets or other public property or improvements resulting from, incidental to, the construction of the Improvements, or in lieu of making such repairs, the SUBDIVIDER shall pay to the CITY the full cost of such repairs.

Building permits for individual lots of the Subdivision will not be issued until all underground utilities are installed within the public right-of-way, the trenches have been backfilled, and an approved all-weather road is constructed for street frontage and access.

No occupancy permit for any dwelling to be constructed within the Subdivision shall be issued until all Improvements are completed and accepted by the City Council.

In accordance with Section 16.24.090 of the Orange Cove Municipal Code, construction methods and materials for all Improvements shall conform to the Standards and Specifications of the CITY. Construction shall not commence until required Improvement Plans have been approved by the City Engineer and payment of all fees have been received by the CITY.

The Improvements shall be constructed in accordance with all applicable street, plumbing, building, electrical and zoning codes and any other codes, rules or regulations of the CITY and the State of California.

The SUBDIVIDER shall require contractors and subcontractors to provide and maintain barricades and warning signs to protect and warn the public of construction hazards. Traffic control shall conform to a traffic control plan approved by the City Engineer. If, in the opinion of the City Engineer, proper barricades and warning signs are not being provided, the Contractor will be required to immediately stop work until proper traffic control is provided and approved by the City Engineer.

The SUBDIVIDER shall require all contractors and subcontractors to conform to the applicable provisions of the California Occupational Safety and Health Act ("OSHA"). Onsite inspection of the work will be requested of OSHA officials, and all work subject to this Agreement shall immediately stop if, in the opinion of the City Engineer, any such work is being performed in violation of OSHA or when appropriate safety measures are not being utilized for said work.

The SUBDIVIDER and its contractors and subcontractors shall pay for any materials, provisions and other supplies used in, upon, for, or about the performance of the work to be

performed hereunder and for any and all work or labor associated therewith and for all amounts due under the Workers' Compensation and the unemployment insurance acts and all other applicable laws or regulations of the State of California or the United States with respect to such work or labor, including without limitation, as required by Section 3200 of the California Labor Code and Section 4200 of the California Government Code.

8. Scheduling.

It shall be the responsibility of the SUBDIVIDER to coordinate all work performed by its contractors and subcontractors, such as scheduling the sequence of operations and the determination of liability if one operation delays another. In no case shall representatives of the CITY be placed in the position of making decisions that are the responsibility of the SUBDIVIDER. It shall further be the responsibility of the SUBDIVIDER to give the City Engineer written notice not less than two (2) working days in advance of the actual date on which work is to be started. Failure on the part of the SUBDIVIDER to notify the City Engineer may cause delay for which the SUBDIVIDER shall be solely responsible.

9. Soil and Dust Control Provisions.

The SUBDIVIDER is responsible for arrangement for and payment of all CITY-required soil tests at locations as determined by the City Engineer. Payment for said tests shall be made directly by the SUBDIVIDER to the certified testing firm of the SUBDIVIDER's choice. Adequate dust control shall be maintained by the SUBDIVIDER on all streets within and outside of the Subdivision on which work is required to be performed under this Agreement, from the time work is first commenced until all work is completed. "Adequate dust control" as used herein shall mean the sprinkling of the streets with water or approved dust palliative with sufficient frequency to prevent the scattering of dust by wind or the activity of vehicles and equipment onto any street area or private property adjacent to the Subdivision. Whenever, in the opinion of the City Engineer, adequate dust control is not being maintained on any street or streets or other areas of the Subdivision, the City Engineer shall give notice to the SUBDIVIDER to comply with the provisions herein, or, at the election of the City Engineer, notice may be mailed to the SUBDIVIDER at his address on file with the City Engineer. If, within

twenty-four (24) hours after personal service or within forty-eight (48) hours after mailing of notice, the SUBDIVIDER has not commenced to maintain adequate dust control or at any time thereafter fails to maintain adequate dust control, the City Engineer may, without further notice of any kind, cause any street or streets to be sprinkled with water or an approved dust palliative as may be deemed necessary by the City Engineer to eliminate the scattering of dust. Such dust control shall be performed by equipment and personnel of the CITY or by contract as the City Engineer shall determine, and the SUBDIVIDER agrees to pay to CITY, upon receipt of the billing, therefore, the entire cost to the CITY of such dust control.

When the surfacing on any existing street is disturbed, the surfacing shall be immediately replaced with temporary surfacing and permanently paved within fourteen (14) calendar days thereafter. The streets shall be maintained in a safe and passable condition at all times between the commencement of construction of improvements and final completion thereof.

10. Reimbursement.

If the City Municipal Code provides SUBDIVIDER with the right to receive cash reimbursement or Impact Fee credit because of the construction of certain improvements or the oversizing thereof, SUBDIVIDER must request payment of the cash reimbursement or preparation of a reimbursement agreement, whichever is applicable, or the Impact Fee credit prior to the date of final acceptance of all subdivision improvements by the Orange Cove City Council. Such request must be made in writing and received by the City Public Works Director prior to the date of final acceptance of all subdivision improvements by Orange Cove City Council. SUBDIVIDER agrees that should it fail to make such written request by the date identified herein, SUBDIVIDER forever waives its right to request and receive any cash reimbursement, reimbursement agreement or Impact Fee credit.

11. Prevailing Wage Laws, Rules and Regulations.

Applicant shall comply with and shall require all contractors to comply with all prevailing wage laws, rules and regulations applicable to the project. Unless otherwise advised in writing by the City of Orange Cove, applicant shall be solely responsible for making any and all

decisions regarding any portion or aspect of the project, including, without limitation, any form of reimbursement by the City of Orange Cove to the applicant or any contractor, will require the payment of prevailing wages. Further, applicant will be solely responsible for the payment of any claims, fines, penalties, reimbursements, payments or any other actions that may be initiated against applicant or any contractor as a result of failure to pay prevailing wages.

Applicant shall defend, indemnify and hold harmless the City of Orange Cove, its officials, officers, employees, representatives, agents and attorneys from and against any and all claims, damages, losses, judgments, liabilities, expenses and other costs, including, without limitation, litigation costs and attorney's fees arising out of, resulting from or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the project. Applicant's obligation to defend, indemnify and hold the City of Orange Cove harmless specifically includes, but is not limited to, any suit or administrative action against the City of Orange Cove which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the project.

Applicant's obligations to defend, indemnify and hold the City of Orange Cove, its officials, officers, employees, representatives, agents and attorneys harmless as set forth herein, shall include, but shall not be limited to, staff time, copying costs, court costs, the costs of any judgments or awards against the City of Orange Cove for damages, losses, litigation costs or attorney fees arising out of any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the project and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.

The City of Orange Cove may, at any time, require the applicant to reimburse the City of Orange Cove for costs that have been, or which the City of Orange Cove reasonably anticipates will be, incurred by the City of Orange Cove during the course of any action. Applicant shall reimburse the City of Orange Cove within thirty (30) days of receipt of an itemized written invoice from the City of Orange Cove. Failure of the applicant to timely reimburse the City of Orange Cove shall be considered a material violation of the conditions of approval of the project.

12. Sole and Only Agreement.

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding such matters. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement, and no other agreement, statement or promises shall be valid or binding.

13. Severability.

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

14. Attorneys' Fees.

If an action at law or inequity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other reasonable relief to which he may be entitled. With respect to any suit, action or proceeding arising out of or related to this Agreement or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the Superior or Municipal Court, whichever is applicable, in the County of Fresno, State of California for any proceeding arising hereunder.

15. Successors and Assigns.

The covenants and agreements contained in this Agreement shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of the parties hereto. This Agreement shall not be assignable by SUBDIVIDER without the express prior written consent of CITY.

16. Governing Law.

This Agreement shall be construed and governed pursuant to the laws of the State of California.

17. Time of the Essence.

Time is of the essence of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the

_____ day of _____, 2022.

SUBDIVIDER

Yanez Construction, LLC,

Dated: _____, 2022 By: _____
Efrain Yanez, CEO

CITY OF HANFORD APPROVAL: By: _____
Alfonso Manrique, P.E.
City Engineer, City of Orange Cove

ATTEST: By: _____
City Clerk, City of Orange Cove

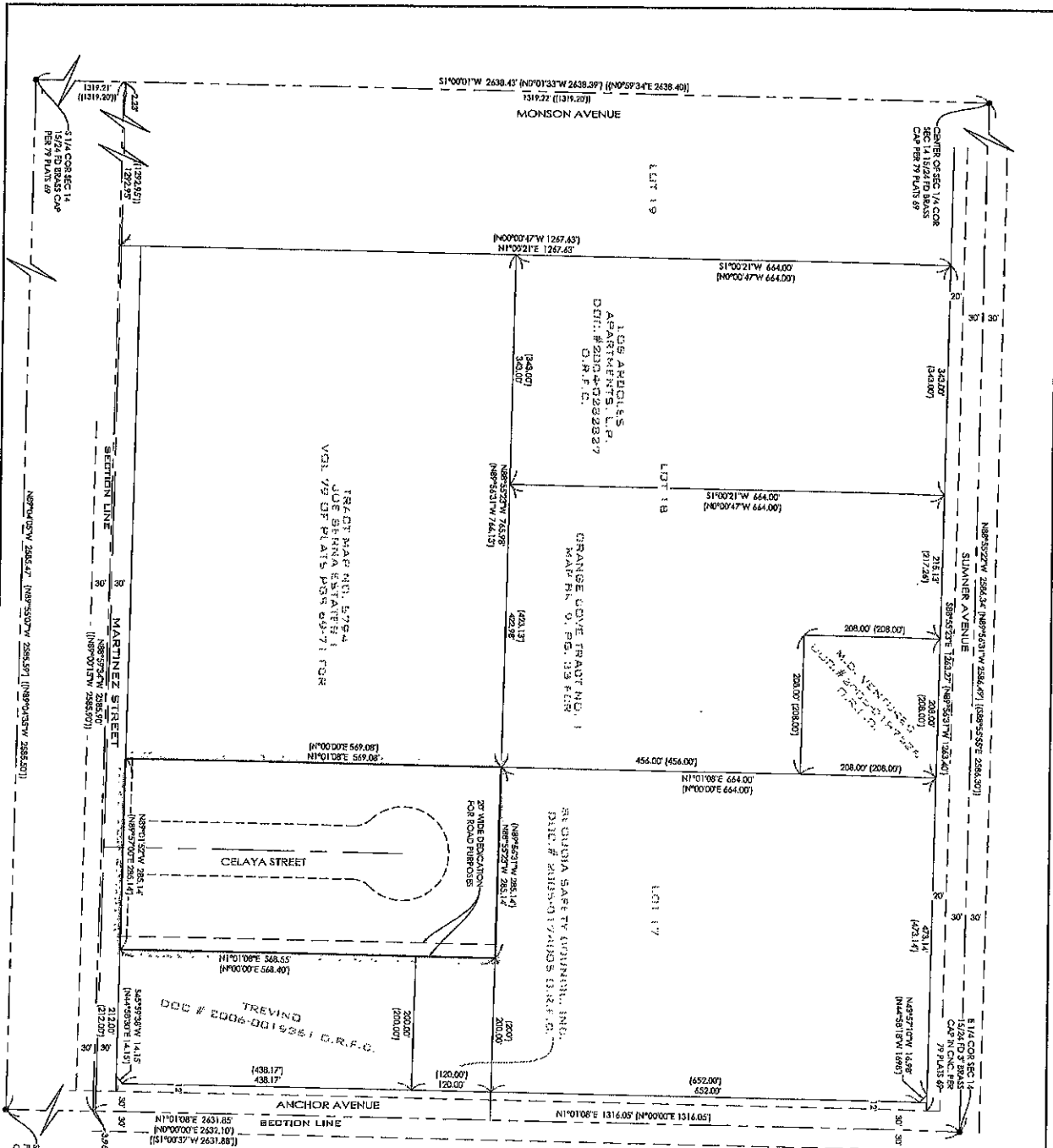
BEING A DIVISION OF A PORTION OF LOTS 17 AND 18 OF ORANGE COVE TRACT NO. 1, RECORDED IN BOOK 9, PAGE 33 OF RECORD OF SURVEY MAPS, IN THE OFFICE OF THE RESNO COUNTY RECORDER, IN SECTION 14, TOWNSHIP 13 SOUTH, RANGE 24 EAST, MOUNT Diablo MEXICAN, IN THE CITY OF ORANGE COVE, COUNTY OF RESNO, STATE OF CALIFORNIA

JULY 22/21



- FOUND AND ACCEPTED MONUMENTS AS DESCRIBED
- (...) RECORD DATA PER MAP NO 5794 RECORDED IN BOOK 79 OF PLATS AT PAGE 70 FOR
- ((...)) RECORD DATA PER MAP NO 6113 RECORDED IN BOOK 87 OF PLATS AT PAGE 38 FOR

THE BASIS OF BEARINGS BEING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 15 SOUTH, RANGE 24 EAST, M.D.M. PER PLAT OF T9A CT NO. 408A, PHASE 1 VOLUME 51 OF PLATS AT PAGES 59 THROUGH 61 FRESNO COUNTY RECORDS, BASE TAKEN TO BE NORTH (NORTH 0°00'00"EAST).



BEING A DIVISION OF A PORTION OF LOT 17 AND 18 OF ORANGE COVE TRACT AND
1. RECORDED IN BOOK 9, PAGE 23 OF RECORD OF SHERIFF MAPS, IN THE OFFICE OF
THE FRESNO COUNTY RECORDER, IN SECTION 14, TOWNSHIP 13 SOUTH, RANGE 24
EAST, MOUNT DIABLO MENDOCINO, IN THE CITY OF ORANGE COVE, COUNTY OF
FRESNO, STATE OF CALIFORNIA

JULY 2021

CURVE DATA			
CURVE	LENGTH	RADIUS	DELTA
C1	11.62	20.07	89° 57' 00"
C2	14.86	14.93	18° 57' 00"
C3	20.02	15.00	22° 22' 46"
C4	37.3	60.07	89° 57' 51"
C5	40.72	60.07	30° 1' 04"
C6	14.84	16.07	41° 04' 10"
C7	40.52	60.07	39° 58' 46"
C8	42.4	60.07	21° 24' 31"
C9	39.45	60.07	56° 58' 35"
C10	19.42	45.07	33° 29' 14"
C11	14.24	46.07	19° 01' 41"
C12	31.47	60.07	49° 09' 00"
			20.02

SECURONIA SAFETY
CORPORATE, INC.
P.O. # 200-1174133
S.F. 94101

FOUND AND ACCEPTED MONUMENTS AS DESCRIBED
 SET PROPERTY CORNER MONUMENT AT LOT CORNER ALONG
 PROPERTY LINE STAMPED IS 8206
 SET CITY STANDARD MONUMENT STAMPED IS 8206
 RECORD DATA PER MAP NO. 274 RECORDED IN BOOK
 79 OF PLATS AT PAGE 70 FOR
 ((...)) RECORD DATA PER MAP NO. 613 RECORDED IN BOOK
 79 OF PLATS AT PAGE 35 FOR
 LINE INDICATES ROAD CENTER LINE
 LINE INDICATES SECTION LINES
 LINE INDICATES LOT LINES
 LINE INDICATES PUBLIC UTILITY EASEMENT NOW
 OFFERED FOR DEDICATION
 LINE INDICATES SUBDIVISION BOUNDARY
 R RADICAL
 PUBLIC UTILITY EASEMENT
 NOTE: SET 3/4" 1" WITH CAP IS BOOK AT ALL LOT CORNERS
 AND BEGINNING AND ENDING OF CURVES

BASIS OF BEARINGS
THE BASIS OF BEARINGS BEING THE EAST LINE OF THE SOUTH-EAST QUARTER OF SECTION 14, TOWNSHIP 15 SOUTH, RANGE 24 EAST, MD. 24, PER MAP OF TRACT NO. 4034, PHASE 1 VOLUME 51 OF PLAT'S AT PAGES 59 THROUGH 61 RECORDED OCTOBER 4, 1990. BASIS TAKEN TO BE NORTH (NORTH 070.070 EAST).

(559) 713-6139

www.engineering101exam01.com

GENERAL NOTES.

[illegible]

GENERAL NOTES:

the authors of the present study. The authors of the present study have not been able to find any other studies that have examined the effects of the use of a single, non-validated, self-report measure of perceived effort on the relationship between perceived effort and performance. The authors of the present study have not been able to find any other studies that have examined the effects of the use of a single, non-validated, self-report measure of perceived effort on the relationship between perceived effort and performance.

STORM WATER POLLUTION PREVENTION NOTES

1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 26

DUST CONTROL NOTE

1. **THE COMPANY** shall be a company limited by guarantee and shall have a share capital of £100,000 divided into 100,000 shares of £1 each.

PROPERTY DISCOUNT

THE UNIVERSITY OF MICHIGAN LIBRARY

CONTACTS

[illegible]

SHEET INDEX

1. What are the main components of a business plan?

2. How do you determine the market size for your business?

3. What are the key financial ratios to monitor?

4. How do you calculate the break-even point for a product?

5. What are the different types of financing options available to a business?

6. How do you develop a marketing strategy for a new product?

7. What are the key factors to consider when hiring employees?

8. How do you manage cash flow in a business?

9. What are the different types of taxes a business must pay?

10. How do you conduct a competitive analysis?

11. What are the key elements of a business plan's executive summary?

12. How do you determine the optimal pricing strategy for a business?

13. What are the different types of business insurance?

14. How do you develop a sales strategy for a business?

15. What are the key factors to consider when choosing a location for a business?

16. How do you manage inventory in a business?

17. What are the different types of business contracts?

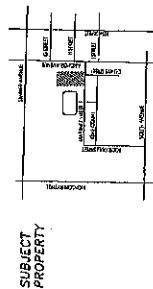
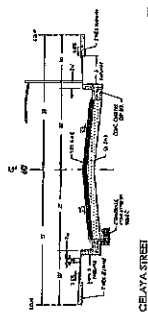
18. How do you develop a customer loyalty program?

19. What are the key factors to consider when choosing a business partner?

20. How do you manage risk in a business?

IMPROVEMENT PLANS
FOR
MARTINEZ TRACT

BENCHMARK:
THE VERTICAL GATTING MIRROR IS NAVIGOS DERIVED
THE LOCAL CPE OBSERVATION.



VICINITY MAP

644



CITY ENGINEER

CITY ENGINEER	R.C.E. 63673
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2000-2001

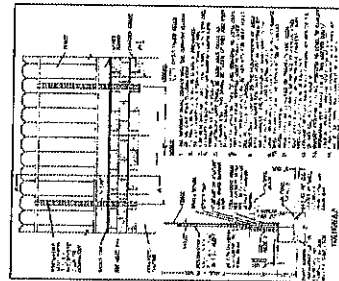
PROJECT ENGINEER

PROJECT ENGINEER:

ESSIE ALLEN MILLER D.C. 61747

CALL U.S.A.
UNDERGROUND SERVICE ALERT!
-800-642-2444
REPAIR ONLY CONTRACTORS

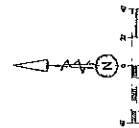
Exhibit "B"



2' CONCRETE BLOCK WALL W/ WOOD FENCE

LEGEND AND NOTES

- | | | | | | |
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| Q1 | ADDRESS | 1 | Q2 | ADDRESS | 1 |
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GRADING/DRAINAGE PLAN NORTH

A.W. ENGINEERING
24 N. DEN MADISON WAY SUITE 300

YANEZ CONSTRUCTION
419 W. MURRAY AVE.
VISALIA, CA 91382

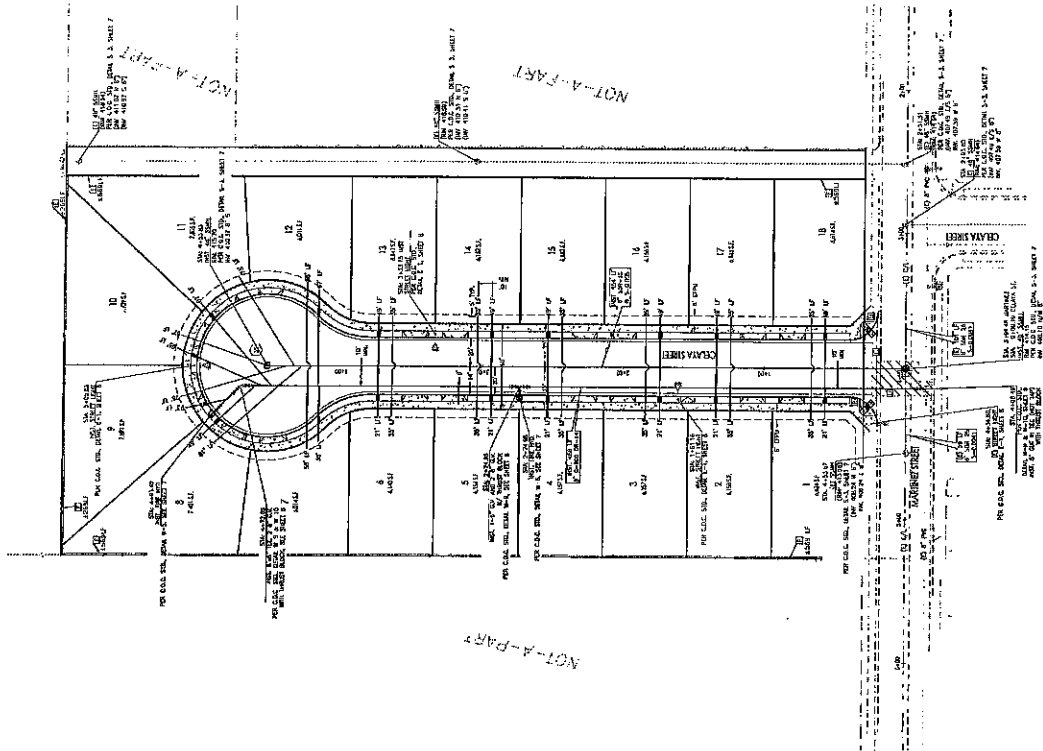
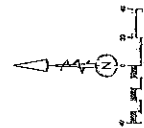
MARTINEZ TRACT

ORANGE COVE, CA;

SCALE: 1" = 40'	FLOOD ZONE: X	JOB & 2101.5	SHEET 2 OF 6
		DRAWN BY: G.S.	NO.

LEGEND AND NOTES

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SANITARY SEWER AND WATER PLAN

SHEET	3
OF	6
DATE	2/10/03
DRAWN BY	X
REVISIONS	

MARTINEZ TRACT

ORANGE COVE, CA.

A.W. ENGINEERING

311 N. BENTLEY STREET, SUITE 101

YANEEZ CONSTRUCTION

419 W. BERRY AVE.

YUBA, CA 95991



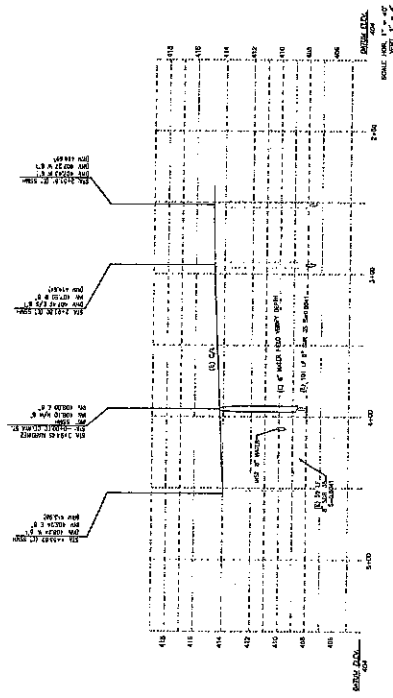
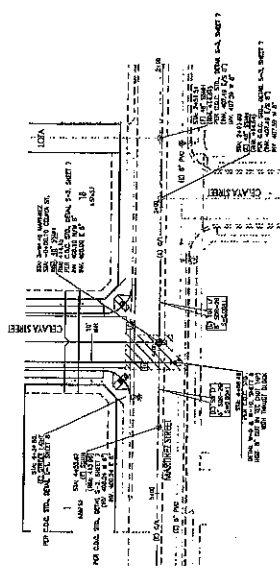
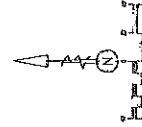
APPROVED

DATE

REVISIONS

LEGEND AND NOTES

- [illegible]



MARTINEZ STREET PLAN AND PROFILE

SCALE
1" = 40'

FLOOD ZONE
X

JOB #:
21013

DRAWN BY:
RCD

5 OF 8 SHEETS

MARTINEZ TRACT

ORANGE COVE, CA.

A.W. ENGINEERING
234 N. 28TH MADISON WAY SUITE 200

YANEZ CONSTRUCTION
419 W. MURRAY AVE.
VISALIA, CA. 93291



USNC/USP

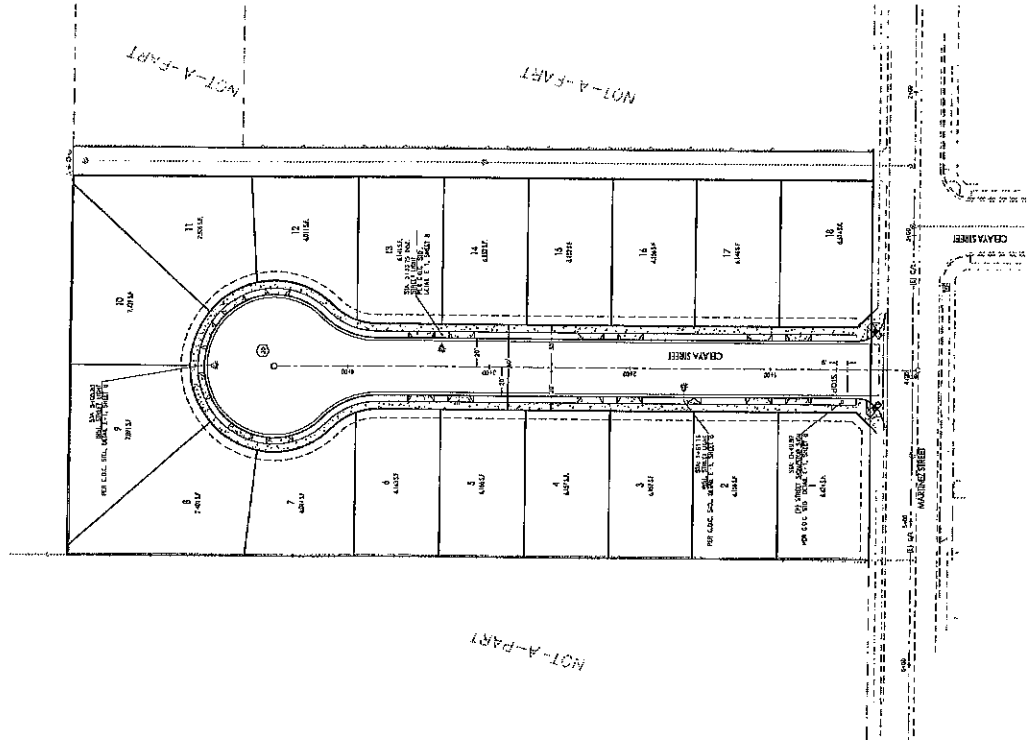
Justice Allen Williams R.C.E. 61742

[illegible]

LEGEND AND NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.

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- (2) PAVEMENT
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STREET LIGHT AND SIGNAGE AND STRIPING PLAN		SHEET 6 OF 8	
MARTINEZ TRACT		X	
ORANGE COVE, CA.		2013	
A.W. ENGINEERING		YANEZ CONSTRUCTION	
701 N. BERNARDINO WAY SUITE 101 VISTA, CA 92081		419 W. MURRAY AVE. VISTA, CA 92081	
APPROVED		REV. BY DATE	
J. ALAN YANEZ			
JULY 1, 2013			

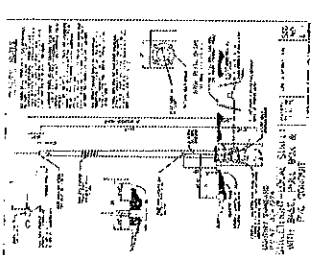
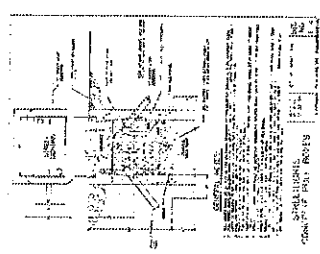
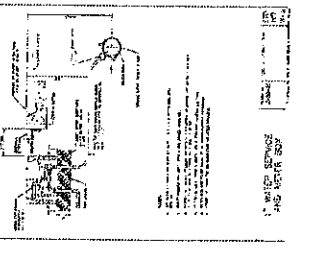
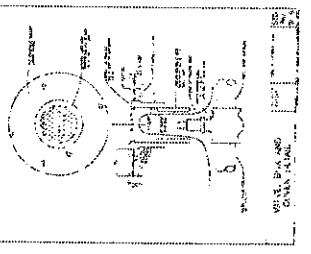
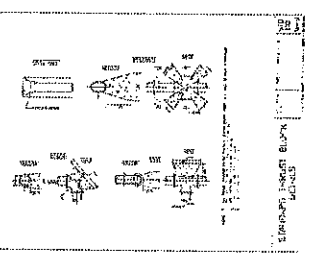
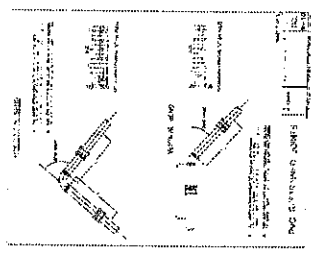
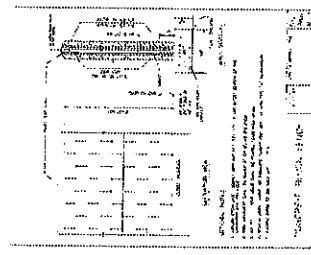


EXHIBIT "C"

SUBDIVISION IMPROVEMENT COST ESTIMATE

In accordance with City of Orange Cove Master Fee Schedule adopted by the City Council on 4-14-2022.

	ESTIMATED CONSTRUCTION COST
<u>Sanitary Sewers</u>	
Construction of sanitary sewer mains, manholes and appurtenances as shown on the approved improvement plans in accordance with City Standards and Specifications	\$39,328.00
<u>Water System</u>	
Construction of water mains, hydrants, services, and appurtenances as shown on the approved Improvement Plans in accordance with City Standards and Specifications.	\$39,910.00
<u>Curb and Gutter and Other Concrete Construction</u>	
Construction of curb and gutter, sidewalk, wheelchair ramps, drive approaches, valley gutter and other concrete improvements shown on the approved Improvement Plans in accordance with City Standards and Specifications	\$44,231.50
<u>Street Surfacing</u>	
Construct 3" Type "B" asphalt concrete surfacing over 9" Class II aggregate base as shown on the approved Improvement Plans in accordance with City Standards and Specifications.	\$74,791.00
<u>Street Lighting</u>	
Install street lighting as shown on the approved improvement Plans in accordance with City Standards and Specifications.	\$9,000.00
<u>Fencing, Landscaping, and Irrigation System</u>	
Construct Fencing improvements shown on the approved improvement Plans in accordance with City Standards and Specifications.	\$102,145.00
<u>Earthwork Improvements</u>	
• Demolition	\$6,790.00

<ul style="list-style-type: none"> • Clear & Grub • Street Excavation • Lot Grading 	\$3,530.00 \$10,496.00 \$37,794.00
<u>Dry Utilities</u>	
Install dry utilities as shown on the approved improvement Plans in accordance with City Standards and Specifications.	\$81,000.00
Total Estimated Improvement Cost subject to Plan Review & Inspection Fees (To be bonded with Final Map)	\$449,015.50
<u>City Engineering and Inspection Fee Schedule</u>	
City engineering and Inspection Fees per City's Master Fee Schedule Adopted on 4-14-2022 1) \$100,001 to \$500,000: \$993.75 for the 1st \$100,000 + \$5.60 for each additional \$1,000	\$2,948.24
Developer Agreement	\$1,000.00
Total	\$3,948.24

Charges Payable Prior to Building Permit Issuance:

Development Impact Fees:

1. Street \$1,079.00 x 18 units = \$19,422.00
2. General Government \$883.00 x 18 units = \$15,894.00
3. Buildings \$52.00 x 18 units = \$936.00
4. Water Treatment \$2,134.00 x 18 units = \$38,412.00
5. Water distribution \$2414.00 x 18 units = \$43,452.00
6. Sewer Treatment \$1,567.00 x 18 units = \$28,206.00
7. Sewer Collection \$3,460.00 x 18 units = \$62,280.00
8. Storm Drainage \$662.00 x 18 units = \$11,916.00
9. Parks & Recreation \$1,714.00 x 18 units = \$30,852.00
10. Law Enforcement \$243.00 x 18 units = \$4,374.00
11. Fire Protection \$474.00 x 18 units = \$8,532.00



LEAGUE OF
**CALIFORNIA
CITIES**

Council Action Advised by August 31, 2022

DATE: June 1, 2022

TO: City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference & Expo – September 7-9, 2022**

Cal Cities 2022 Annual Conference & Expo is scheduled for September 7-9, 2022 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly) on Friday, September 9. At this meeting, Cal Cities membership considers and acts on resolutions that establish Cal Cities policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to Cal Cities office no later than Friday, September 2. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please view Cal Cities' event and meeting policy in advance of the conference.

- **Action by Council Required.** Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration will open by June 1 on the Cal Cities website. In order to cast a vote, at least one voter must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.



Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



LEAGUE OF
CALIFORNIA
CITIES

CITY: _____

**2022 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to Cal Cities office by Friday, September 2, 2022. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ Email: _____

Mayor or City Clerk _____ Date _____ Phone _____
(circle one) (signature)

Please complete and return by Friday, September 2, 2022 to:

Darla Yacub, Assistant to the Administrative Services Director

E-mail: dyacub@calcities.org; Phone: (916) 658-8254

RESOLUTION NO. 2022-39

**A RESOLUTION APPROVING THE ADOPTION OF THE SUBSISTENCE
PAYMENT PROGRAM GUIDELINES**

BE IT RESOLVED by the City Council of the City of Orange Cove as follows:

SECTION 1:

The City Council has reviewed and hereby approves the Subsistence Payment Program Guidelines.

SECTION 2:

The City acknowledges compliance with all state and federal public participation requirements in the development of its guidelines.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Orange Cove held on June by the following vote:

Instruction: Fill in all four vote-count fields below. If none, indicate "0" for that field.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Name and Title
City Council

STATE OF CALIFORNIA

City of Orange Cove

I, June Bracamonte, City Clerk of the City of Orange Cove, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council on this XX day of July, 2022.

By: _____
June Bracamonte, City Clerk



City of Orange Cove

CDBG Program Guidelines

Subsistence Payments Program

City of Orange Cove
633 Sixth Street
Orange Cove, CA 93646
www.cityoforange Cove.com

I. PROGRAM OBJECTIVE

To provide Low-Moderate Income (LMI) clients/households with mortgage, rent, and/or utility assistance for the purpose of preventing eviction and/or cutoff of utility services.

II. INTAKE

Applications will be processed on a first come basis, until all funds are exhausted. Incomplete applications are not considered received until complete. Applications may be submitted in person or electronically. Applicants in need of assistance on how to complete the application will be provided assistance upon request.

III. NONDISCRIMINATION AND INCLUSION

Title VI of the Civil Rights Act of 1964 requires that, "No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." We strongly encourage under-represented and non-English speaking families in your community have a fair chance of receiving assistance. Steps could include:

- Working with services providers that serve primarily race and ethnic minority groups to announce the availability of assistance to hard-to-reach residents
- Allowing non-English speaking residents a fair amount of time to apply and gather the necessary documentation, and providing translation or other language support
- Accessing racial equity and social justice resources.

IV. OUTREACH AND MARKETING

All outreach efforts will be done in accordance with state and federal fair lending regulations to assure nondiscriminatory treatment, outreach and access to the Program. No person shall, on the grounds of age, ancestry, color, creed, physical or mental disability or handicap, marital or familial status, medical condition, national origin, race, religion, gender or sexual orientation be excluded, denied benefits or subjected to discrimination under the Program. The Sponsor will ensure that all persons, including those qualified individuals with handicaps, have access to the Program.

A. The Fair Housing Lender and Accessibility logos will be placed on all outreach materials. Fair housing marketing actions will be based upon a characteristic analysis comparison (census data may be used) of the Program's eligible area compared to the ethnicity of the population served by the Program (includes, separately, all applications given out and those receiving assistance) and an explanation of any underserved segments of the population. This information is used to show that protected classes (age, gender, ethnicity, race, and disability) are not being excluded from the Program. Flyers or other outreach materials, in English and any other language that is the primary language of a significant portion of the area residents, will be widely distributed in the Program-eligible area and will be provided to any local social service agencies. The Program may sponsor homebuyer classes to help educate homebuyers about the home buying process and future responsibilities. Persons who have participated in local homebuyer seminars will be notified about the Program.

B. The Program Operator will work with local non-profits and other services providers to explain the Program requirements for eligible households. Local non-profits and other service providers will also be encouraged to have their customers participate in the Program.

C. Section 504 of the Rehabilitation Act of 1973 prohibits the exclusion of an otherwise qualified individual, solely by reason of disability, from participation under any program receiving Federal funds. The Program Sponsor will take appropriate steps to ensure effective communication with disabled housing applicants, residents and members of the public.

V. ELIGIBLE HOUSEHOLDS

A. INCOME VERIFICATION

Eligible clients/households need to be Low-Moderate Income (LMI) at or below 80% of the Area Median Income (AMI). Client eligibility can be verified by: **Household Income**.

1. Household Income Verification

Applicants must complete a Verifiable Certification indicating that his or her family income doesn't exceed the applicable income limit established in accordance with the regulations. Applicants may be required to submit backup documentation as requested and may need to verify the information they include on the form during a future audit or file review.

Household income verification requires obtaining current gross income for everyone 18 and older within a household. Gross household income needs to be within 2021 CDBG income limits.

Household Income will be determined by projecting the household's current rate of income at the time assistance is provided. Third party documentation of income will not be required. Households must self-certify income

Household income may be determined by projecting the household's prevailing rate of income at the time the assistance is provided and maintaining documentation of this determination. Household income includes income from all wage or income earning household members, including seniors receiving social security or pension payments, households with multiple wage earners, income from spousal and child support payments, and income from unemployment or other public benefit programs. Income does not include income from minors. For a complete list of what qualifies as income for the purposes of determining income eligibility in a subsistence payment program, please see this link.

Due to the limited amount of funding available, and the staff resources needed to verify income at the time of application makes the program cost-prohibitive and unreasonable to implement. Therefore, household income will be determined by the completion of a Verifiable Certification Form completed and signed by the applicant. Applicants must complete a Verifiable Certification Form indicating that his or her family income doesn't exceed the applicable income limit established in accordance with the regulations. Applicants may be required to submit backup documentation as requested and may need to verify the information they include on the form during a future audit or file review. It is the applicant's responsibility to maintain supporting records documenting the income they are reporting.

Documentation is not required to be verified via third-party. However, Applicant's must retain documentation sufficient to support current year income projections and may be either annual income or monthly income projected out 12 months. Jurisdictions and operators are not required to collect the below documentation, when using the Certified Verification Form; however, applicant should ensure sufficient documentation to support the applicant's statement of income is retained for future auditing or monitoring purposes.

Supporting documents may include:

- Prior year tax returns
- Pay stubs (tabulated for annual income)
- Social Security letter or stub
- Unemployment letter or stub
- Statement of loss of income (for persons who are self-employed) including current year annual income projection
- Other proof of income or loss of income
- Signed statements of no-income (jurisdictions/operators may prepare template statement of no-income letters that can be signed and dated at application submittal)

2021 CDBG Income Limits								
Area Median Income	1	2	3	4	5	6	7	8
Very Low-Income 30%	14,700	17,420	21,960	26,500	31,040	35,580	40,120	44,660
Low Income 60%	29,400	28,000	31,500	34,950	37,750	40,550	43,350	46,150
Moderate Income 80%	39,150	44,750	50,350	55,900	60,400	64,850	69,350	73,800

VI. CDBG SUBSISTENCE PAYMENTS REQUIREMENTS

- Maximum assistance:
 - Maximum payments are up to 3 consecutive months, first month may include consecutive arrears, at no time will more than \$5,000 in assistance be provided to any one household.
- Allowable mortgage, rent, and utility assistance payments:
 - current month payments
 - past due payments
 - partial or full payments
- Mortgage assistance:
 - Escrow fees for taxes are not allowable
 - Escrow for insurance is allowable
- Allowable utility assistance includes:
 - electric, gas, water, sewer, trash, and broadband
- Payments must be paid to the service provider on behalf of a client, and not to the client.

- Payment requests must address need for assistance.
- Payments made must be for client's primary residence.
- Payments cannot be a Duplication of Benefit.
 - A Duplication of Benefit occurs when a person, household, organization, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance.
 - **A Duplication of Benefit statement must be completed for all CDBG funded clients to ensure Duplication of Benefit compliance.**

VII. APPLICATION PROCESS AND PACKAGE

To be considered for assistance the applicant must provide the following:

- a. Intake application – completed with all household information and signed by all household member's aged 18 and older.
- b. Complete and sign, Verifiable Income Certification Form, by ALL household members 18 and older *or* primary client presumed LMI supporting documentation
- c. Explanation of need
- d. Duplication of benefits statement
- e. Ethnicity/race demographics for federal reports
- f. Documentation of all client expenses
- g. Mortgage/Rent/Utility assistance documentation– Late payment notice, eviction, or other proof that loss of housing or essential utility services are at risk and documenting the need for payment:
 - i. Current mortgage statement
 - ii. Current rental statement
 - iii. Current utility bill

VIII. REQUIRED REPORTS

A. FINANCIAL REPORTS

CDBG grants must be administered on a reimbursement basis. To request a monthly reimbursement, Subrecipients must submit the following items:

- Invoice
- General ledger of CDBG expenses
- Timesheets
 - *Timesheets must:*
 - Discern between hours charged and not charged to CDBG
 - Approved and signed a supervisor
- Mileage claims if applicable
 - *Mileage claims must:*
 - Indicate employee name, travel dates, departure and destination

addresses, and mileage claim amounts.

- Approved and signed by a supervisor
- Travel dates must coincide with CDBG timesheet dates
- CDBG supplies invoices

B. PROGRAM REPORTS

Monthly program reports shall include the following items:

- Performance Tracker Report
- Monthly narrative highlighting progress in meeting objectives

C. RECORD KEEPING

2. Client files must contain the following items:

- a. Intake application
- b. Current proof of income for ALL household members 18 and older *or* primary client presumed LMI supporting documentation
- c. Duplication of benefits statement
- d. Ethnicity/race demographics for federal reports
- e. Documentation of all client expenses
- f. Mortgage/Rent/Utility assistance documentation— Late payment notice, eviction or other proof that loss of housing or essential utility services are at risk and documenting the need for emergency payment:
 - i. Current mortgage statement
 - ii. Current rental statement
 - iii. Current utility bill

Upon approval and issuance of payment(s) copies of payments and checks processed, will be provided to the applicant for their records.

Applicant must provide documented receipt of payment by the landlord, utility provider, or other service provider.

D. RETENTION PERIOD

All CDBG files must be maintained for a ***minimum of five (5) years*** after the completion of the program, to allow access for audit and public examination. The retention period starts when the final expenditure report is submitted. If any litigation, claim, or audit is started before the expiration of the 5- year period, the records must be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.

ORDINANCE NO. 391

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE
ADOPTING THE POLICY MANUAL FOR THE ORANGE COVE CITY POLICE
DEPARTMENT REGARDING MILITARY EQUIPMENT USE POLICY**

WHEREAS, AB 481 was adopted regulating law enforcement agency's use of military equipment and requires approval of continued use of military equipment and knowledge of all equipment in possession of law enforcement agency;

WHEREAS, the Orange Cove City Police Department is in possession of military equipment as defined by AB 481, and will continue use of said equipment in order to protect its residents as needed; and

WHEREAS, the Orange Cove City Council desires to be in compliance with AB 481 and approves adding the below sections to Orange Cove City Police Department manual;

THE CITY OF ORANGE COVE DOES ORDAIN AS FOLLOWS:

SECTION 1:

After receiving a staff report, discussion and any public comment, the City Council finds:

- 1) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- 2) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- 3) The equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- 4) Corrective action has been taken to remedy nonconforming uses and ensure future compliance.
- 5) The policy was placed on the City's website 30 days prior to City Council consideration of this item.

SECTION 2:

The Orange Cove City Police Department policy attached hereto is adopted.

SECTION 3:

The policy adopted by the City Council shall be made publicly available on the City's website for as long as the military equipment is available for use.

SECTION 4: This Ordinance shall go into full force and effect 30 days after publication.

PASSED, ADOPTED AND APPROVED this ____ day of ____, 2022.

Mayor of the City of Orange Cove

ATTEST:

City Clerk of the City of Orange Cove

Military Equipment

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the [Department/Office].

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Orange Cove Police Department

Orange Cove PD Policy Manual

Military Equipment

- Notwithstanding Government Code § 7070 paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

706.2 POLICY

It is the policy of the Orange Cove Police Department that members of this [department/office] comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 SPECIFIC EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this [department/office] to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying [department/office] equipment that qualifies as military equipment in the current possession of the [Department/Office], or the equipment the [Department/Office] intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Orange Cove Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the [department/office]'s funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the [department/office] website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the [Department/Office] will respond in a timely manner.

706.4 SPECIFIC EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the [Department/Office]:

[Insert attachment here]

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is

Orange Cove Police Department

Orange Cove PD Policy Manual

Military Equipment

submitted to the governing body and is available on the [department/office] website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this [department/office].
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Specific equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy. Military Equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military use policies in rendering mutual aid.

706.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the [department/office] website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in [department/office] inventory.

706.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the [Department/Office] shall hold at least one well-publicized and conveniently located community engagement meeting, at which the [Department/Office] should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Orange Cove Police Department

Orange Cove PD Policy Manual

Military Equipment

Pursuant to California Government Code 7070(d) (7). Members of the public may register complaints or concerns or submit questions about the use of specific type of Military Equipment in this policy by any of the following means:

- 1.) Via phone call to : (559)626-5106
- 2.) Via USPS mail to : Orange Cove Police Department
Att: Military Equipment use Coordinator
550 Center Street
Orange Cove, CA 93646