

# AGENDA ORANGE COVE CITY COUNCIL REGULAR MEETING Wednesday, October 11, 2023 6:30 PM

City of Orange Cove Council Chambers 633 6<sup>th</sup> St. Orange Cove, CA 93646

#### 1. CALL TO ORDER/WELCOME

Roll call Invocation Flag Salute (Pledge of Allegiance)

- 2. CONFIRMATION OF AGENDA
- 3. CEREMONIAL PRESENTATIONS
  - None Scheduled

#### 4. PRESENTATIONS

None Scheduled

#### 5. CONSENT

(All items listed under the consent calendar category are considered routine. The complete consent calendar will be enacted by one motion by ROLL CALL VOTE. For purposes of discussion, any council member may have an item removed from the consent calendar and made part of the regular agenda. The Council can then approve the remainder of the consent calendar).

Carter Minutes of the September 27, 2023 Regular Council Meeting 5.a. Velicescu Warrant register for September 2023 5.b. Dodd Consideration and necessary action on addendum to City 5.c Manager's employment agreement Resolution No 2023-46, A Resolution of the City Council Dominguez 5.d. of the City of Orange Cove designating applicants' agent for non-state agencies for disaster events. Patlan Resolution No. 2023-47, A Resolution of the City Council of 5.e. The City of Orange Cove approving a one-year extension of time for Macias Tract Map No. 6289 for a 39-lot subdivision located on the Northwest corner of Sumner and Anchor Avenues. 5.f. Resolution No. 2023-48, A Resolution of the City Council of Patlan the City of Orange Cove approving a one-year extension of time for Howard Tentative Tract Map No. 6288 for a 156-lot subdivision located on the Northwest corner of Jacobs and Adams Avenue. Consideration and necessary action on Purchase and Sale Dodd Agreement between the City of Orange Cove and Raul Santellan for the property identified as APNs 375-173-04T and 378-023-34ST

#### 6. REGULAR BUSINESS

None scheduled

#### 7. PUBLIC HEARINGS

None scheduled

#### 8. ADMINISTRATION

#### 8.a. Public Works & City Engineer

Dominguez

**SUBJECT**: Department Report by Assistant City Manager/ Public Works Director Dario Dominguez

**RECOMMENDATION**: Informational Only

#### 8.b. Building & Planning Department

Patlan

**SUBJECT**: Department Report by Building & Planning Director Encarnacion "Shun" Patlan

**RECOMMENDATION:** Informational Only

#### 8.c. Police Department

Peña

SUBJECT: Department Report by Police Chief Javier Peña

**RECOMMENDATION:** Informational Only

#### 8.d. Orange Cove Fire Protection District

Greenwood

None Scheduled

#### 9. PUBLIC COMMENTS

Notice(s) to the Public: This is the opportunity for any member of the public to address the City Council on any item over which the Council has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the City Manager for review. Members of the public shall limit their remarks to three (3) minutes.

#### **10.CITY MANAGER'S REPORT**

#### 11. CITY ATTORNEY'S REPORT

#### 12. CITY COUNCIL COMMUNICATIONS

#### 13. CLOSED SESSION

None scheduled

#### 14. ADJOURNMENT

<u>ADA Notice</u>: 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. 213. 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 the front counter at City Hall, 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:

- 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 CITY OF ORANGE COVE REGULAR MEETING SEPTEMBER 27, 2023

A meeting of the Orange Cove City Council was called to order at 6:30 p.m. in the Council chambers. Council members answering roll call were: Mayor Silva, Mayor Pro Tem Garcia, and Council members Cervantes, Rodriguez, and Vacio. Also present were Interim City Manager Parra, Assistant City Manager/Director of Public Works Dominguez, City Attorney Dodd, Police Chief Peña, and Interim City Clerk Carter.

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 Clerk Carter reported that agenda item 8 would be pulled from the agenda since there were no departmental reports scheduled for this meeting. There were no other changes to the agenda.

**CONSENT CALENDAR**: Motion to approve the Consent Calendar was made by Mayor Pro Tem Garcia and seconded by Council member Cervantes, Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Garcia, Cervantes, Rodriguez, Vacio, Silva

NOES: 0 COUNCIL MEMBERS: None ABSTAIN: 0 COUNCIL MEMBERS: None ABSENT: 0 COUNCIL MEMBERS: None

- a. Minutes of the September 13, 2023 Regular Council Meeting approved as written.
- b. RESOLUTION NO 2023-45, A Resolution of the City Council of the City of Orange Cove adopting an Investment Policy and including JPA's in the Investment Pool.

CONSIDERATION AND NECESSARY ACTION ON CITY OF ORANGE COVE SIDEWALK REPAIR PROGRAM: Assistant City Manager Dominguez/Public Works Director Dominguez stepped to the podium to present a new sidewalk repair program he is hoping to start in Orange Cove. He stated that in order to get started a resident would sign an agreement with the City which states that the homeowner agrees to pay for materials and the City would provide labor at no cost.

After discussion, motion to approve the Sidewalk Repair Program as presented, was made by Mayor Pro Tem Garcia and seconded by Council member Cervantes. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Garcia, Cervantes, Rodriguez, Vacio, Silva

NOES: 0 COUNCIL MEMBERS: None ABSTAIN: 0 COUNCIL MEMBERS: None ABSENT: 0 COUNCIL MEMBERS: None

PUBLIC HEARING - CONSIDERATION AND NECESSARY ACTION ON RESOLUTION DECLARING A PORTION OF APN 378-023-34ST SURPLUS: City Attorney Dodd reviewed for the Council a Resolution which would declare a .55-acre portion of APN 378-023-34ST surplus property. It was reported that the land is located behind the library.

Mayor Guerra-Silva opened the public hearing at 6:39 p.m. There being no one to speak for or against the proposal the public hearing was closed at 6:39 p.m.

Motion to approve RESOLUTION NO 2023-44, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA DECLARING A PORTION OF APN 378-023-34ST TO BE SURPLUS PROPERTY was made by Council member Cervantes and seconded by Council member Rodriguez. Motion carried with the following vote:

AYES: 5 COUNCIL MEMBERS: Cervantes, Rodriguez, Vacio, Garcia, Silva

NOES: 0 COUNCIL MEMBERS: None ABSTAIN: 0 COUNCIL MEMBERS: None ABSENT: 0 COUNCIL MEMBERS: None

CITY MANAGER'S REPORT: Interim City Manager Parra reported that the Trunk or Treat would be held in front of the fire Station from 5-7 p.m. and that the street would be blocked off for the safety of attendees. He reported that he would be attending an ICMA conference from October 1st through 4th and would return on Thursday October 5th. He also reported that Finance Director Velicescu and Assistant Finance Director Jimenez would be attending a Public Employees Retirement Educational Forum from October 1st – 4th and would also return on the 5th. He reported that the audio/video equipment for the Council Chambers is scheduled to be installed the week of October 9th. He also reported that, because of the upcoming holidays, the second meetings of the next 3 months are going to be cancelled. He stated that if something urgent does come up a special meeting can be called.

Regular Council Meeting September 27, 2023 Page 3

CITY COUNCIL COMMUNICATIONS: The Council members who attended the recent League of California Cities Conference all stated that the conference had been excellent and that the key-note speaker was outstanding. Council member Cervantes and Mayor Pro Tem Garcia both thanked the Police Department for the outstanding job they do. Mayor Silva said she is excited about the work of the new City Engineer and wants to be kept up-to-date on the various City projects.

**CLOSED SESSION**: At 7:03 p.m. Mayor Silva recessed the meeting into closed session to discuss a Public Employee Performance Evaluation. The meeting reconvened at 8:22 p.m. with no action to declare in the open session of meeting.

**ADJOURNMENT**: There being no further business, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,	
Melanie A. Carter	Diana Guerra-Silva
Interim City Clerk	Mayor

REPORT.: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By.: Danny Jimenez

#### CASH Disbursement Detail Report Check Listing for 09-23 thru 09-23 Bank Account.: 1010

PAGE: 001 ID #: PY-DP CTL: ORA

Check	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
049733	09/22/23	SIM02	B1GNMAX			Ck# 049733 Reversed Ck# 049733 Reversed
			Check Total:	-474.57		
049820	09/22/23	AEM02	ARROW ELECTRIC MOTOR SERV	-1426.86	4027u	Ck# 049820 Reversed
049892	09/22/23	LOS23	LOS AMIGOS MARKET	-2500.00 -2500.00	06/16/23u	Ck# 049892 Reversed Ck# 049892 Reversed
			Check Total:	-5000.00		
049893	09/22/23	LVDP1	LORETTA S. VAN DER POL	-1875.00 -1875.00	0115u	Ck# 049893 Reversed Ck# 049893 Reversed
			Check Total:	-3750.00		
049894	09/22/23	PD001	PENA'S DISPOSAL	-50177.42 -50177.42	MAY 2023u	Ck# 049894 Reversed Ck# 049894 Reversed
			Check Total	-100354.84		
049895	09/22/23	SIL33	DORA SILVA	-50.04 -50.54	06/15/23u 06/16/23u	Ck# 049895 Reversed Ck# 049895 Reversed
			Check Total	-100.58		
050134	09/01/23	W.MOO	W.M. LYLES. CO	119700.00	52.8611	CONTRACT TOTALS - A.R.P.A.
050135	09/01/23	ERS01	ERS INDUSTRIAL SERVICES,	176054.49	101081	TURNKEY SERVICE MEDIA - FEMA REIB, GRANT WTP
050136	09/01/23	ALH01	SPARKLETTS	403.89	843080123	WATER DELIVERY INVOICE # 11244843 080123
050137	09/01/23	APV01	ARAMARK- ACCOUNTS RECEIVA	99.18 47.34 440.97 75.78 69.32 369.55 99.18 47.34	580216810 580230654 580230666 580230671 580230677 580234099 580234111	JANITORIAL SERVICES FOR CITY HALL #2580216810 Janitorial Service JANITORIAL SUPPLIES - SENIOR CENTER # 2580230655 Janitorial Service JANITORIAL SERVICES FOR CITY HALL #2580230671 JANITORIAL SERVICES FOR CITY YARD #2580230672 JANITORIAL SUPPLIES FOR PD INVOICE #2580230677 JANITORIAL SERVICES FOR VP CENTER #2580234099 JANITORIAL SUPPLIES FOR SENIOR CENTER #2580234100 JANITORIAL SUPPLIES FOR WHTP # 2580234111
			Check Total:	1394.15		
050138	09/01/23	BEAT1	BEATWEAR, INC.	195.28 1627.49 1627.49 900.00	8222	SGT.'S PROMOTIONAL UNIFORM OFC. URREA BALLISTIC VEST OFC. MONTEMAYOR BALLISTIC VEST OFC. MONTEMAYOR UNIFORM ALLOWANCE
			Check Total	4350.26		
050139	09/01/23	C&M01	CORE & MAIN LP	946.07 605.14 2879.72	T333641 T337850 T366948	PVC PIPES & PARTS TRAFFIC GRATE & FRAME CATCH BASIN & PIPE FOR MEASURE-C
			Check Total	4430.93		
050140	09/01/23	CLS01	CORELOGIC SOLUTIONS, LLC.	300.00	30675766	PROPERTY DETAIL 7/1/23-7/31/23
050141	09/01/23	CWS01	CORBIN WILLITS SYSTEM	1052.96	00C308151	PROFESSIONAL SERVICES INVOICE # 000C308151
050142	09/01/23	DLC01	DINUBA LUMBER CO	97.59 38.39	635906 636167	Insect Killer Repair Water Leak
			Check Total	95.98		
050143	09/01/23	FCG02	FRESNO COUNCIL OF GOVERNM	7616.99	288/82572	Housing Element #8228/82572
050144	09/01/23	F0002	FOOTHILL AUTO TRUCK & AG	28.71 24.54 14.87 14.03 15.38 		Diamond Matts #209 Sprinkler Repair - Skate Park Stickers VIH#209 Keys for Shop Molding Tape Assorted Connectors PROPANE FOR MANIEFT
			Check Total:	167.36		
050145	09/01/23	GTI01		647.85 3401.21	1-123579	Chemical Chemical
			Check Total:	4049.06		
050146	09/01/23	OCTS1	ORANGE COVE TIRE SERVICE	126.01	29085	Dog Food

# REPORT: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By: Danny Jimenez Check Listing for 09-23 thru 09-23 Bank Account: 1010

PAGE	:	002
ID #	:	PY-DP
WHITE TO		21 SMB 80

Check Number	Check Date	Vendor Number	Name	Nat Amount	Invoice #	Description
050146	09/01/23	OCTS1	ORANGE COVE TIRE SERVICE		29106 29153 29156	Tire Repair VIH #260 Replace Tires VIH #260 Dog Food
			Check Total	2221,89		
050147	09/01/23	PC006	PERSONNEL CONCEPTS	230.85	353721544	HR Compliance Form #9353721544
85014B	09/01/23	RIS01	REEDLEY IRRIGATION AND	56.59	OS02-4989	Sprinkler Box Repair##RIS-POS02-4989
050149	09/01/23	SAM01	SAM JORGENSEN PUMP CO.,	597.50	300719-IN	Pump Repairs #230719-IN
050150	09/01/23	SEB01	SEBASTIAN	200.00 200.00 704.36	34160	Alarm Services Labor & Trip Alarm Services Labor & Trip Alarm Services
			Check Total:	1104.36		
050151	09/01/23	SHR02	SHRED-IT, C/O STERICYCLE,	69.88	004311550	SHREDDING SERVICES FOR PD INVOICE # 8004311550
050152	09/01/23	SUP03	SUPERIOR POOL PRODUCTS LL	2234.76	Q2023987	Solutions
050153	09/01/23	VVM01	V & V MANUFACTURING, INC.	656,05	57526	6 New Badges
050154	09/05/23	PEN03	JAVIER O. PENA	259.00	08/31/23	PER DIEM - ANNUAL CONFERENCE CA SPRING CHIEFS PENA
050155	09/05/23	PUG01	PUGA, JOSE	259.00	08/31/23	PER DIEM - CA SPRINGS CHIEF'S CONFERENCE J.PUGA
050156	09/06/23	ATTM2	FIRSTNET - AT&T MOBILITY	991.66	X08192023	PHONES/MDT'S PATROL USAGE - POLICE DEPT.
050157	09/06/23	BSK01	BSK ASSOCIATES	1072.50 2768.50	AG20588	WATER SAMPLING
			Check Total:	3841.00		
050158	09/06/23	CEN03	CENTRAL VALLEY LOCK & SAF	25.12	63320	4 KEYS - COMMUNITY CENTER
050159	09/06/23	CER00	CERVANTES, JOSIE	511.76	09/05/23	PER DIEM & MILEAGE LEAGUE OF CA CITIES
050160	09/06/23	DAP01	DODSON AUTO PARTS	26.42 42.03 23.74 11.85 24.46	52356 52362 52366 52392 52430	STAPLE GUN FOR GTH OF JULY EVENT VHICLE MAINTENANCE SUPPLIES BLUE DEF. VEHICLE MAINTENANCE SUPPLIES #270 BLACK PAINT
			Check Total:	128.50		
050161	09/06/23	DG001	DIANA GUERRA SILVA	21.93 47.00	08/14/23 08/16/23	MEDICAL REIMB. D.SILVA INV # 05858 2317202 MEDICAL REIMB. D.SILVA INV # 05858 2327195
			Check Total	68.93		
030162	09/06/23	DI000	DIONICIO RODRIUEZ JR.	1200.00	09/05/23	PROFESSIONAL SERVICES - CONTRACT WTP D.RODRIGUEZ
050163	09/06/23	DLL01	DE LAGE LANDEN PUBLIC FIN	8076.94	18513133	LEASE PAYOFF AUGUST 2023
050164	09/06/23	FCSFF	FRESNO COUNTY SHERIFF	200.00	SO20853	CIVIL PROC. TRAINING - PARRA, GONZALEZ, URREA, DIZ
050165	09/06/23	FGS01	FRUIT GROWERS SUPPLY CO	34.59 13.19		ANIMAL SHELTER SUPPLIES - TRASH BAGS ANIMAL SHELTER SUPPLIES - BLEACH/DAWN SOAP
			Check Total	47.78		
050166	09/06/23	FWUA1	FRIANT WATER AUTHORITY	86.21	116699	MONTHLY SHARE COSTS
050167	09/06/23	LIE01	LIEBERT CASSIDY WHITMORE	207.00	247961	DAV LOF TERM APPEAL
050168	09/06/23	METRO	METRO UNIFURM	2298.96	266534	RESERVE OFFICER SANDOVAL - SUPPLIES
050169	09/06/23	OCTS1	DRANGE COVE TIRE RESVICE	42.00 11.99 73.99 16.00	29132 29661 29662 29914 29936	COL CHANGE ACO UNIT # 100109 OIL CHANGE UNIT 19-07 TIRE REPAIR UNIT # 19-06 OIL CHANGE/BRAKES
			Check Total:	279.97		
050170	09/06/23	RIV11	Rivera, Martin			HEALTH INSURANCE SEPT. 2023 - REIMB. CALPERS HEALTH INSURANCE - OCT. 2023 REIMB. CALPERS
			Check Totalt	5216.16		DED DIEM & MILENCE TERCHE OF CA CITIES
000172	00/00/00	DODAO	DODD TOLLEY CODED AND A	C 1 1 7 /	00/05/22	DED DIEM & MITERCE_ TEACHE OF CA CIPIES

050171 09/06/23 ROD40 RODRIGUEZ, ESPERANZA 511.76 09/05/23 PER DIEM & MILEAGE- LEAGUE OF CA CITIES

## REPORT:: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By:: Danny Jimenez Check Listing for 09-23 thru 09-23 Bank Account:: 1010

PAGE: 003 ID #: PY-DP CTL.: ORA

Check Number	Check Date	Vendor Number	Name		Invoice #	Description
050172	09/06/23			70,50	08-24-23	TRAINING CLASS GAS REIMB S.GONZALEZ
050173	09/06/23	TIIO1	TELSTAR INSTRUMENTS INC	1322.00	118073	MOTOR/BOOS. PUMP TEST
050174	09/06/23	USA01	USA BLUE BOOK	284.81 772.80	00102889	
			Check Total	1057.69		
050175	09/06/23	VAC22	MARIA VACIO	241.50	09/05/23	PER DIEM & MILEAGE - LEAGUE OF CA CITIES
050176	09/06/23	COL07	COLANTUONO, HIGHSMITH & W	2080.45		LEGAL SERVICES - UUT PENALTIES & INTEREST-JUNE2023 LAFCO BUDGET - FY 2023-2024
			Check Total	2086.16		
050177	09/06/23	DAP01	DODSON AUTO PARTS	104.02 64.77 109.10	52349 52358	BATTERY E-CAR PRESSURE WASHER HOSE BATTERY E-CAR
			Check Total:	277.89		
050178	09/06/23	DG001	DIANA GUERRA SILVA	6.33 60.00 233.00 10.00 106.40 9.70 60.00 47.00 53.55 47.00 20.00	4/14/23 02/08/23 02/16/23 03/03/23 03/15/23 04-12-23 04/12/23 04/27/23 05/09/23 05/11/23	MEDICAL REIMB D.SILVA INV #05858 2276791 MEDICAL REIMB. D.SILVA INV # 4/14/23 MEDICAL REIMB. D.SILVA INV # 205844628 MEDICAL REIMB. D.SILVA INV # 05858 2261307 MEDICAL REIMB. D.SILVA INV # 05858 2264307 MEDICAL REIMB D.SILVA INV # 05858 2286436 MEDICAL REIMB. D.SILVA INV # 4/12/23 MEDICAL REIMB D.SILVA INV # 05858 2286317 MEDICAL REIMB. D.SILVA INV # 05858 2269998 MEDICAL REIMB. D.SILVA INV # 05858 2269998 MEDICAL REIMBURSEMENT - D.SILVA INV #05858 2298327 MEDICAL REIMB D.SLVA INV # 05858 2308113
			Check Total:			
050179	09/06/23	LIE01	LIEBERT CASSIDY WHITMORE	13073.50 12112.00 447.00 6124.50 1327.00 255.00 788.50 42.50 804.00	238276 238604	GEN. MATTER GEN. MATTER DAV LOP TERM APPEAL GEN. MATTER DAV LOP TERM APPEAL GEN. MATTER DAV LOP TERM APPEAL GEN. MATTER GEN. MATTER GEN. MATTER
			Check Total:	34974.00		
050180	09/06/23	OCTS1	ORANGE COVE TIRE SERVICE	48.00	29028	TIRE REPAIR FOR PWD
050181	09/07/23	DG001	DIANA GUERRA SILVA	511.76	09/05/23	PER DIEM & MILEAGE - LEAGUE OF CA CITIES
050182	09/13/23	APV01	ARAMARK- ACCOUNTS RECEIVA	149.90 271.92 69.32 99.18 47.34 68.46 69.33 99.18 201.96 68.40 142.21 99.18	580234116 580234117	JANITORIAL SERVICE JANITORIAL SERVICE JANITORIAL SERVICE JANITORIAL SERVICE JANITORIAL SERVICE JANITORIAL SERVICE #2580237604 JANITORIAL SUPPLIES #2580237605 JANITORIAL SUPPLIES #2580237616 JANITORIAL SERVICE #2580237616 JANITORIAL SUPPLIES #2580241046 JANITORIAL SUPPLIES #2580241047 JANITORIAL SUPPLIES #2580241047 JANITORIAL SUPPLIES #2580241064 JANITORIAL SERVICE #2580241064 JANITORIAL SERVICES - VP CENTER #2580244536 JANITORIAL SERVICES FOR SENIOR CENTER #258244537 JANITORIAL SUPPLIES - WWTP #2580244548
			Check Total:	1772.17		
050183	09/13/23	BAC03	BRYANS AUTO CENTER	1154.91	21853	RACK & FINION - VEH # 204
050184	09/13/23	CEN03	CENTRAL VALLEY LOCK & SAF	58.11	63361	KEYS
050185	09/13/23	CMM01	CITRUS MINI-MART	4505.82	1255	GASOLINE FOR CITY VEHICLES - MONTH AUGUST 2023
050186	09/13/23	COL03	COLLINS & SCHOETTLER	862.50 575.00	1431 1446	PLANNING CONSULTANT PLANNING CONSULTANT
			Check Total:	1437.50		
050187	09/13/23	DAP01	DODSON AUTO PARTS	5.38 39.91	52449 52450	PLUG BLUE DEF VIH #113

### REPORT: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By: Danny dimense Check Listing for 09-23 thru 09-23 Bank Account: 1010

PAGE: 004 ID H: PY-DP CTL.: ORA

Check Number	Check Date	Number	Name	Net Amount	Involce #	Description
050187	09/13/23		DODSON AUTO PARTS	18.34 7.77 23.74	52472 52472	WINDOW WIPERS VIH #230 SAND PAPER BLUE DEF VEH #113
				95,14		
050188	09/13/23	DLC01	DINUBA LUMBER 🖽	36.17 113.24 113.46	647445	DEDBOLT REPLACEMENT PAINT & SUPPLIES PAINT & TOOLS
			Check Total	262.87		
050189	09/13/23	FGS01	FRUIT GROWERS SUPPLY CO	16 74 4 57 00 24 32 33 51 53 50 20 35 27 78 13 65 47 55 45 19 29 29 40 35 25 70 32 26 107 27 72 94 279 34 254 08 56 08 56 08 32 21 43 39 32 91 42 78 58 40 70 00 37 44 112 33 13 99 115 73 18 41 47 03	92400644 92400748 92401127 92401244 92401496 92402199 92402210 92402222 92402922 92402922 92403401 92403401 92403401 92403401 92403401 92404066 9240401 92404840 92404840 92404840 92404840 92404840 92404840 92407199 92407196 92407196 92409195 92409195	KORK GLOVES SPRINKLER SPRINKLER REPAIR (COMM. CTR) SPRINKELER REPAIR (SKATE PARK) SPRINKLER REPAIR (SKATE PARK) UTILITY KNIFE COOPLER SLIP REPAIR DUCT TAPE CHAIN REPAIR CHAINSAW SOLENGID ASSEMBLY SPRINKLER REPAIR FLEXDRAIN PIPE - FLOOD CONTROL TEMENT HYDRALLIC STOP MOUSE STICKY TRAPS BPRINKLER REPAIR - SKATE PARK SPRINKLER BERAIR - SKATE PARK SOOT ALLOWENCE - MARGARITO CONCRETE PRE-MIX
			Check Total:	2289.69		
050190	09/13/23	F0002	FOOTHILL AUTO TRUCK & AS	133.33 24.29 20.49 8.10 19.30 9.11 83.09 16.51	930304 930347 930667 930708 930718	KEY COPIES BATTERY SINGLE SIDE KEYS BREAK CLEANER VIH #201 GAS CAP DROP LIGHT & BULB
			Check Total	332.56		
050191	09/13/23	GRA01	GRAINGER	147.73	813719458	SIGNS & EQUIPMENT
050192	09/13/23	JC001	JORGENSEN CO.	615.59	6084763	FIRE ALARM MAINTENANCE
050193	09/13/23	JIM17	DANNY JIMENEZ	536.72	91223	PER DIEM & MILEAGE - CALPERS CONF.
050194	09/13/23	METRO	METRO UNIFORM	903.79 453.55	265488 266300	SCT. PARRA - UNIFORM OFC. HERNANDEZ - UNIFORM
			Check Total	1357.34		
050195	09/13/23	SUP03	SUPERIOR POOL PRODUCTS LL	2645.77	Q2024362	SOLUTIONS
050196	09/13/23	THA01	TIM'S HEATING & A.C.	310.00	622615	FILTER REPLACEMENT
050197	09/13/23	TIIO1	TELSTAR INSTRUMENTS INC	778.00	117912	REPORT & TESTING
050198	09/13/23	VEL02	Nuria A. Velicescu	536.72	91223	PER DIEM & MILEAGE - CONFERENCE
050199	09/13/23	VUL02	VULCAN MATERIALS COMPANY	190.38	73741436	ASPHALT
050200	09/13/23	W.M00	W.M. LYLES. CO	540455.00	052.8611	CLARIFIER & PUMP - A.R.P.A
050201	09/15/23	AMCE1	AM CONSULTING ENGINEERS,	451.50	258+6	EATON PARK IMPROVEMENTS

## REPORT: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By:: Danny Unmerer Check Listing for 09-23 thru 09-23 Bank Account:: 1010

PAGE: 005 ID #: PY-DP CTL:: ORA

Check Number		Vendor Number			Invoice	
050201			AM CONSULTING ENGINEERS,	10143.00	258-7 258-8	EATON PARK IMPROVEMENTS EATON PARK IMPROVEMENTS
			Check Total:			
050202	09/15/23	G&A01	GEERSCH & ASSOCIATES INC.		723-3527 723-3528 723-3530 723-3531 723-3531 723-3533 723-3533 723-3535 723-3535 723-3535 723-3537	TRACT 6289 MACIAS EAST RAILROAD PROJECT TPM BINGH PARK BLVD PROJECT SHERIDAN PARK PROJECT
			Check Total:	20316.34		
050203	09/15/23	PUG01	PUGA, JOSE	241.50	9/20/23	PER-DIEM 9/20-23/23
050204	09/15/23	TREDS	MARIA G. TREJO	400.00	4/22/23	REFUND ON DEPOSIT EVENT 4/22/23
050205	09/20/23	APV01	ARAMARK- ACCOUNTS RECEIVA	149.90 75.94 69.32 75.94 69.32 87.92 71.51 41.17 75.94 75.94 75.78 148.85 87.92 71.51 75.94 77.03 69.32 148.85 99.18 47.34	580237621 580237627 580241054	JANITORIAL SUPPLIES   FOR PWD # 258004787
			Check Total:	2284.90		
050206	09/20/23	CAM03	ALVARO CAMPOS	136,47	08/22/23	RIEMBURSEMENT FOR TRAVEL/LODGE - A. CAMPOS
050207	09/20/23	CHAA1	CHAPA'S AUTOMOTIVE	2162.27 61.60 219.64	11792 11793 11796	UNIT-1503 WATER PUMP CABIN AIR FILTER - K-9 BLOWER MOTOR ASSENBLY - UNIT 15-02
			Check Total:	2443.51		
050208	09/20/23	COOK1	COOK'S COMMUNICATION	324.44	154784	REPLACED FED CABLE - CHIEFS UNIT
050209	09/20/23	DOJ01	DEPARTMENT OF JUSTICE	203.00	674728	FINGERPRINT APPS
050210	09/20/23	FGS01	FRUIT GROWERS SUPPLY CO	5.99 3.21 82.55 6.25	92403529 92407810	CAP PVC SLIP CAP PVC SLIP GARDEN HOSE & NOXZEL FOR EATON PARK RESTROOMS HOPE RECOIL
			Check Total:	98.00		
050211	09/20/23	F0002	FOOTHILL AUTO TRUCK & AG	106.57 2.16	931323 931344	HATTERY BATTERY ENVIRONMENTAL CHARGE
			Check Total	108.73		
050212	09/20/23	FRON1	FRONTIER	136.96	08/07/23	FRONTIER TRANSPORT TERMINATION
050213	09/20/23	FWUA1	FRIANT WATER AUTHORITY	856.14	116666	MONTHLY SHARE COSTS
050214	09/20/23	HWS01	HEALTHWISE SERVICES, LLC	196.88	163641	98 GALLON SHARPS KIOSK - PD
050215	09/20/23	ID001	INFODYNAMICS, INC.	929.00	22515	INTACT SMART - SUPPORT RENEWAL 9/1/23-8/31/24

### REPORT: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By: Danny Jimenez CITY OF GRANGE COVE Cash Disbursement Detail Report Check Listing for 09-23 thru 09-23 Bank Account: 1010

PAGE: 006 ID #: PY-DP

Check Number	Check Date	Vendor Number			Invoice #	Description
050216	09/20/23					PHYSICAL PD - N. SANDOVAL
050217	09/20/23	KOEFR	KOEFRAN INDUSTRIES, INC.		000565114	PICK UP CARCASSES - ANIMAL SHELTER FEES PICK UP CARCASSES -ANIMAL SHELTER FEES #0000565114
			Check Total:	410.00		
050218	09/20/23	LAN09	LANGUAGE LINE SERVICE	82.65	11062675	INTERPRETATION SERVICES OVER THE PHONE
050219	09/20/23	LAW04	LAW & ASSOCIATES INVESTIG	700.00	23-182	BACKGROUND INVESTIGATION - RESERVE OFFICER
050220	09/20/23	LIE01	LIEBERT CASSIDY WHITMORE	1700.00	05/12/23	MEMBERSHIP - 07/01/23 THROUGH 06/30/24
050221	09/20/23	OCTS1	ORANGE COVE TIRE SERVICE		29695 29957	DOG FOOD - ANIMAL CONTROL BEFT. OIL CHANGE - BLACK IMPALA DOG FOOD - ANIMAL CONTROL DEPT.
			Check Total:	236.59		
050222	09/20/23	PAR32	PARRA, DANIEL	15,53	09/07/23	PURCHASED CAR WASH SUPPLIES - REIMBURSEMENT
050223	09/20/23	PRI00	PRI MANAGEMENT GROUP	488.25	23000	TRAINING RECORDS INTRO SEMINAR J.HERNANDEZ, J.CUEVA
050224	09/20/23	QUI05	QUILL CORPORATION	57.22 162.88 16.83 22.21 37.78 177.31 9.17	33876053 34321488 34321512 34387476	OFFICE SUPPLIES FOR PD OFFICE SUPPLIES - TONER FOR PRINTER PD OFFICE SUPPLIES - FOR PD OFFICE SUPPLIES FOR PD
			Check Total:	559.27		
050225	09/20/23	ROB22	ROBERSON PLUMBING	173.70	12184	INSTALL DRINKING FOUNTAIN AT EATON PARK
050226	09/20/23	RVH01		453.00 58.00	132	EUTHANASIA SERVICES - ANIMAL SHELTER EUTHANASIA SERVICES - ANIMAL SHELTER
			Check Total:	511.00		
050227	09/20/23	SHR02	SHRED-IT, C/O STERICYCLE,	69,88	004501061	SHREDDING SERVICES FOR PD #8004501061
050228	09/20/23	T&J01	VALLEY GAS	6826.02	08-2023	FUEL FOR PD MONTH AUGUST 2023
050229	09/20/23	TIIO1	TELSTAR INSTRUMENTS INC	9821.00 1322.00		NEW ACUATOR - PLANT B 3 HOURS OF SERVICE
			Check Total:	11143.00		
050230	09/20/23	WEE01	W&E ELECTRIC	2412.49 2412.49	2308123 2308124	REPLACED DAMAGED PTS BREAKER REPLACED DAMAGE DISCONNECT SWITCH
			Check Total	4824.98		
050231	09/20/23	YAN01	YANEZ CONSTRUCITON	30157.00	51822-	PORTION RECONSTRUCT-MARTINEZ ST PAV #51822-ASPHALT
050232	09/20/23	APV01	ARAMARK- ACCOUNTS RECEIVA	50.36 68.98 63.13 67.51 75.94 69.32 87.92 71.51	58004251 580146725 580146736 580146736 580195928 58020529 580206393 580209641 580213344 580213344	JANITORIAL SUPPLIES - SENIOR CENTER # 258004251 JANITORIAL SUPPLIES - CITY HALL # 2580146725 JANITORIAL SUPPLIES - PWD # 2580146736 JANITORIAL SUPPLIES - CITY HALL # 2580195928 JANITORIAL SUPPLIES - WTP # 258020920 JANITORIAL SUPPLIES - WTP # 258020920 JANITORIAL SUPPLIES - WTP # 2580209641 JANITORIAL SUPPLIES - WTP # 2580213335 JANITORIAL SUPPLIES - CITY HALL # 2580213344 JANITORIAL SUPPLIES - PWD # 2580213344
			Check Total	832.59		
050233	09/20/23	CAL00	CALIFORNIA BUILDING STAND	116.10 45.90 60.30 297.90 -81.00	10 2023 20 2023 30 2022 40 2022 CREDIT'22C	BSASRF QTR. REPORTS BSASRF QTR. REPORTS BSASRF QTR. REPORTS BSASRF QTR. REPORTS CHECK # 05007 OVERPAYMENT (INV. # 07/19/23)
			Check Total	439.20		
050234	09/20/23	CHAA1	CHAPA'S AUTOMOTIVE	234.77	11730	UNIT ATV - REPLACE BATTERY
050235	09/20/23	KBWA1	KINGS WATER ALLIANCE	9282.00	194	MEMBERSHIP DUES
050236	09/20/23	AFLAC	AFLAC	1404.04	295434	MONTHLY INSURANCE - SEPTEMBER 2023

### REPORT.: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By.: Danny Jimenez Check Listing for 09-23 thru 09-23 Bank Account.: 1010

PAGE: 007 ID #: PY-DP CIL: 09A

_						
Check Number		Number	Name	Net Amount	Invoice #	Description
050236	09/20/23			1404.04	945591	MONTHLY INSURANCE - AUGUST 2023 MONTHLY INSURANCE - JULY 2023
			Check Total:			MONTHET INSURANCE - DOLL 2023
050237	09/26/23	LIE01	LIEBERT CASSIDY WHITMORE			GEN MATTER
050238	09/28/23	ALH01	SPARKLETTS	844.27	843090123	WATE DELIVERY PWD
050239	09/28/23	APV01	ARAMARK- ACCOUNTS RECEIVE	58.76 73.36	580256498 580256510 580256524 580256526	JANITORIAL SUPPLYS JANITORIAL SUPPLYS JANITORIAL SUPPLYS JANITORIAL SUPPLYS JANITORIAL SUPPLYS JANITORIAL SUPPLYS
			Check Total:			
050240	09/28/23	BMI01	BADGER METER, INC	443.00	80136083	FIXED BEACON.
050241	09/28/23	CAR02	CARTOZIAN AIR CONDITIONIN	153.15	18811	HEATER MAINTENANCE
050242	09/28/23	CISO4	CISNEROS, CYNTHIA	536.72	092623	CAL PERS CONFERENCE
050243	09/28/23	CLS01	CORELOGIC SOLUTIONS, LLC.	300.00	30680881	PROPERTY DETAIL
050244	09/28/23	CPC02	CLARK PEST CONTROL	52.00 52.00 52.00 52.00 52.00 52.00 52.00 52.00	33619188 33619191 33619193 33794289 33794299 33794293 33794293 99619187	PEST-AWAY SERVICE
			Check Total:	522.00		
050245	09/28/23	DLC01				AIR FILTER & CLEANING SUPPLIES
050246	09/28/23	FGS01	FRUIT GROWERS SUPPLY CO	31.54 38.54 15.69 19.18 20.35 17.46 96.66 7.08 11.37	92408603 92408869 92409304 92409712 92409968 92410432 92410794 92410798	WORKING GLOVES TRASH PICKUP TOOL & BUCKET
			Check Total:	417.19		
050247	09/28/23	F0002	FOOTHILL AUTO TRUCK & AG		931759 931851 931879 931933 931969	
			Check Total:	398.08		
050248	09/28/23	GRA01	GRAINGER	2165.28	788642263	HAND TOOLS & METER
050249	09/28/23	JDC01	JOHNSON DRILLING CO.	15000.00	10540	ARANDONMENT
050250	09/28/23	PIT01	PITNEY BOWES GLOBAL FINAN	217.51	106247270	EQUIPMENT LEASE
050251	09/28/23	PRO06	PRO ACOUSTICS, LLC	2251.00	100048457	SPEAKER SYSTEM
050252	09/28/23	PRO21	PROFESSIONAL PRINT & MAIL	1477.87	118045	PRINTING AUGUST 23
050253	09/28/23	QUI05	QUILL CORPORATION	781.81 34.10 928.47 18.11	34316439	OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES
050051	00.100.100	2200	Check Total:	1762.51	00 50000	
050254	09/28/23	RIS01	REEDLEY IRRIGATION AND	349.58	02-50999	VALVE & COUPLING

## REPORT: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59 Run By: Danny Jimenez Check Listing for 09-23 thru 09-23 Bank Account: 1010

PAGE: 008 ID #: PY-DP

Check Number	Check Date	Vendor Number	Name		Invoice #	Description
050255	09/28/23	SEB01	SEBASTIAN	272.50		LOW VOLTAGE LABOR
050256	09/28/23	THA01	TIM'S HEATING & A.C.	285.00 230.00		A.C. MAINTENANCE A.C MAINTENANCE
			Check Total:	515.00		
050257	09/28/23	UNITY	UNITY IT	1360.00		COMMUNICATIONS COMMUNICATIONS
			Check Total:	5091.04		
050258	09/28/23	VCI02	VISTA CONSULTING, INC.	15088.00	001-23	PROFESSIONAL SERVICES
050259	09/28/23	VUL02	VULCAN MATERIALS COMPANY	606.56	73767562	COLD MIX
050260	09/28/23	DG001	DIANA GUERRA SILVA	125.83 332.36 14.69	582346967 582354929	Medical Reimbursement
			Check Total:	809.10		
050261	09/28/23	PAR34	DANIEL T. PARRA	304.00	9/30-10/4	ICMA Conference - Austin 9/30/23 to 10/4/23
050262	09/28/23	APV01	ARAMARK- ACCOUNTS RECEIVA	62.38 62.38 68.46 99.18	580195923 580199239 580202924 580206397 580213327	JANITORIAL SUPPLIES - VP CENTER # 258003831 JANITORIAL SUPPLIES - WWTP # 2580146694 JANITORIAL SUPPLIES - WWTP # 2580195923 JANITORIAL SUPPLIES - WWTP # 258029294 JANITORIAL SUPPLIES - WWTP # 2580206397 JANITORIAL SUPPLIES - VP CENTER # 2580213327 JANITORIAL SUPPLIES - SENIOR CENTER # 2580213328
			Check Total	1212.37		
050263	09/28/23	CPC02	CLARK PEST CONTROL	157.00	33572922 33572923	Pest Control Pest Control PEST CONTROL PEST AWAY SERVICES
			Check Total:	628,00		
050264	09/28/23	DG001	DIANA GUERRA SILVA	15.24 13.93 20.98	582288016 582288480	Medical Reimbursement Medical Reimbursement Medical Reimbursement Medical Reimbursement Medical Reimbursement
			Check Total	213.31		
			Cash Account Total:	1020337.36		
			Total Disbursements:	1020337.36		

REPORT.: Oct 05 23 Thursday RUN...: Oct 05 23 Time: 09:59

Run By.: Danny Jimenez

### Cash Disbursement Detail Report - Payroll Vendor Payment(s) Check Listing for 09-23 thru 09-23 Bank Account.: 1010

PAGE: 009
ID #: PY-DP

Check Check Vendor Number Date Number Amount Invoice # Description Name CALIFORNIA STATE DISBURSE C30901 Garnishment 701326 09/06/23 CSD02 310.01 701327 09/06/23 EDD01 EMPLOYMENT DEVELOP. DEPT. 3562.16 C30901 State Income Tax .00 1C30901 State Income Tax SDI 4.73 1030905 SDI Check Total....: 4648.10 343.06 030901 SHI 701328 09/06/23 EDD02 Franchise Tax Board 103.89 C30901 Franchise Tax Order 701329 09/06/23 FRA12 PERS PAYROLL REMITTANCE PERS PAYROLL REMITTANCE 09/06/23 PER00 CALIF. PUBLIC EMPLOYEES RE 18118.87 C30901 81.01 Check Total ...... 18199.88 09/06/23 PER01 P.E.R.S. FOR THE 457 275.00 C30901 457 Fian 30.00 C30905 457 Plan Check Total...... 305,00 701332 09/06/23 SEC00 UNION BANK 10965.97 C30901 Federal Income Tax 14678.08 C30905 1C30901 Federal Income Tax Social Security Social Security 65.10 1C30905 3419.44 Medicare 2030905 Medicare 29143.81 Check Total..... 1007.53 C30901 Garnishment 701333 09/06/23 STA20 STATE DISBURSEMENT UNIT 50.00 1C30901 Misc Deduction 1057.53 Check Total....: C30918 701341 09/20/23 CSD02 CALIFORNIA STATE DISBURSE 310.01 Garnishment EMPLOYMENT DEVELOP. DEPT. 3358.79 C30918 State Income Tax 701342 09/20/23 EDD01 1026.20 1030918 SDI Check Total ..... 4384.99 EDD02 229.30 C30918 09/20/23 EDD SUI C30918 PERS PAYROLL REMITTANCE CALIF. PUBLIC EMPLOYEES RE 17740.55 701344 09/20/23 PEROO 275.00 C30918 457 Plan 09/20/23 PER01 P.E.R.S. FOR THE 457 701346 09/20/23 SEC00 UNION BANK 10650.18 C30918 Federal Income Tax 14203.56 1030918 Social Security 3306.54 2030918 Medicare 28160.28 Check Total ..... 701347 09/20/23 STA20 STATE DISBURSEMENT UNIT 1007.53 C30918 Garnishment 50.00 1030918 Misc Deduction 1057.53 Check Total....: COLONIAL LIFE C30930 Accident Insurance 701348 09/29/23 COL10 1030930 Critical Illness Ins 178.32 Life Insurance 343.46 Check Total....: 701349 09/29/23 EDD02 EOD SUI 4.69 030929 SUL Union Due Local 39 IUOE LOCAL 39 701350 09/29/23 IUO00 807.38 CALIF. PUBLIC EMPLOYEES RE 12.07 030929 PERS PAYROLL REMITTANCE 701351 09/29/23 PER00 PERS HEALTH INSURANCE 78444.04 C30930 MEDICAL INSURANCE 09/29/23 PER03 TRANSAMERICA EMPLOYEE BEN 519,92 C30930 09/29/23 TRA08 Life Insurance Trans Cash Account Total ....: 186400.50 Total Disbursements....: 186400.50



# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council

From: Megan Dodd, City Attorney

Subject: Approval of Addendum to Daniel Parra's Employment Agreement

Attachments: Addendum to Daniel Parra's Employment Agreement

#### **RECOMMENDATION:**

Staff recommends that the Council approve the addendum to City Manager, Daniel Parra's Employment Agreement.

#### **BACKGROUND:**

Council met in closed session to conduct a six-month performance review of current City Manager Daniel Parra. As a result, Council tentatively agreed to a salary increase for Mr. Parra to \$165,000 per year. Additionally, Council tentatively agreed to a five year employment contract with Mr. Parra.

#### FISCAL IMPACT:

Salary increase has already been budgeted, so there is no fiscal impact.

#### **CONFLICT OF INTEREST:**

None.

Prepared by: City Attorney			Approved by: Megan Dodd			
REVIEW: City Manager:		Financ	ce:	City Attorney:		
TYPE OF	ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACT	ION
<u></u>	Consent Info Item Action Item Department I Redevelopme					Public Hearing Matter Initiated by a Council Member Other Continued to:

#### CITY OF ORANGE COVE

#### EMPLOYMENT AGREEMENT ADDENDUM

This Employment Agreement Addendum ("Addendum") is made and entered into between the City of Orange Cove ("City") and Daniel Parra ("Employee").

Whereas the Employee's employment relationship with the City is governed by the Contract of Employment ("Agreement") dated February 15, 2023, attached hereto as Exhibit 1, and

Accordingly, the parties agree that the Agreement is amended as follows:

- Section 3: <u>Salary</u>. Effective October 11, 2023 as a full-time employee of City of Orange Cove, Parra shall receive a salary of \$165,000 annually.
- Section 2: Term. The parties agree to convert the current agreement from an interim agreement to a five year term. The agreement between the City and Employee will end on October 11, 2028. Both parties can end this agreement early, subject to the payment of severance set forth in section 10. If the City determines there is any just cause for termination of Employee, no severance will be paid.

Except as set forth in this Addendum, all other terms and conditions of the Agreement shall remain in full force and effect.

Date:	Sign:
	Daniel Parra, Employee
Date:	Sign:  Diana Guerra-Silva, Mayor of the City of Orange Cove



# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To:

Orange Cove City Council

From:

Dario Dominguez, Public Works Director

Subject:

Approve Resolution 2023-46 declaring an agent for all matters

pertaining to State disaster assistance, for assurances or

agreements.

#### RECOMMENDATION:

Approve Resolution 2023-46 declaring an agent for all matters pertaining to State disaster assistance, for assurances or agreements.

#### **BACKGROUND:**

The State of California Office of Emergency Services (OES) is requiring the City of Orange Cove to provide a Resolution declaring an agent for all matters pertaining to State disaster assistance. The City is recommending the City Manager, or the Assistant City Manager or the Public Works Director to execute for and on behalf of the City of Orange Cove. Some of the programs include but are not limited to:

Federally Declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), Cal State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM), Public Law 93-288 Disaster Relief and Emergency Assistance Act 1988. Flood Mitigation Assistance Program (FMA).

#### FISCAL IMPACT:

There will be no fiscal impact.

#### **CONFLICT OF INTEREST:**

None.

#### **ATTACHMENTS:**

Resolution 2023-46

repared by: <u>Public Works Director</u>		Approved by: <u>Dario Dominguez</u>		
REVIEW: City Manag	er;	Finance:		City Attorney:
TYPE OF ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACTION
_X_ Consent				Public Hearing
Info Item			N	Natter Initiated by a Council Mem
Action Item			Ot	her
Department R	eport			Continued to:
Redevelopme	nt Agency			

#### **RESOLUTION NO 2023-46**

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE DESIGNATING APPLICANT'S AGENT FOR NON-STATE AGENCIES

WHEREAS, the State of California Office of Emergency Services is requiring the City of Orange Cove to provide to the Governor's Office of Emergency Services a Resolution declaring an agent for all matters pertaining to State disaster assistance, whether assurances or agreements, now or in the future.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Cove that the City Manager, or the Assistant City Manager, or the Public Works Director is hereby authorized to execute for and on behalf of the City of Orange Cove, a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM), under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- Flood Mitigation Assistance Program (FMA), under Section 1366 of the National Flood Insurance Act of 1968.
- National Earthquake Hazards Reduction Program (NEHRP), 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- California Early Earthquake Warning (CEEW) under CA Gov Code Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8.11, 8587.12

**BE IT FURTHER RESOLVED**, that the City of Orange Cove, a public entity established under the laws if the State of California, hereby authorizes its agent(s) to provide to the Governor's office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

**BE IT FURTHER RESOLVED,** that this is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.

Passed and approved this 11<sup>th</sup> day of October, 2023 by the following vote:

AYES:	COUNCIL MEMBERS:	
NOES:	COUNCIL MEMBERS:	
ABSTAIN:	COUNCIL MEMBERS:	
ABSENT:	COUNCIL MEMBERS:	
Attest:		
Melanie A. Carter		 Diana Guerra-Silva
Interim City Clerk		Mayor of the City of Orange Cove
	CERTIFIC	CATION
hereby certify that		City Clerk of the City of Orange Cove, do t copy of a resolution passed and approved by a 11 <sup>th</sup> day of October, 2023.
Malania A Contar		Intarim City Clark
Melanie A. Carter		Interim City Clerk



Meeting Date: 10/11/23 Agenda Item:

#### City Council Meeting

REPORT TO:

**Orange Cove City Council** 

REPORT FROM:

Shun Patlan, Planner

AGENDA ITEM:

Consideration of a One-Year Extension for Macias Vesting Tentative

Tract Map No. 6289

ACTION REQUESTED: \_Ordinance

X Resolution

\_\_ Motion

Receive/File

#### RECOMMENDED;

1. Staff recommends the city council consider taking the following Action:

A. Approve a One-Year Extension of time for the Macias Vesting Tract Map No. 6289 for a 39-lot Subdivision located on the North of Sumner Avenue approximately 650 Feet West of Anchor Avenue in Orange Cove

#### **EXECUTIVE SUMMARY**

On October 28, 2020 the Orange Cove City Council approved by Resolution No. 2020-43 the Macias Tentative Subdivision Tract Map No. 6289 located at the Northwest corner of Sumner Street and Anchor Avenue.

The Macias Tentative Subdivision Tract Map No. 6289 is set to expire on October 28, 2022. The applicant Yanez Construction submitted a written request for a one-year extension of time for Macias Tract No. 6289 and the extesion was approve by the city council on September 28, 2022. The approved Macias Tract Map incorporates 19.97 acres with single family homes, commercial development and high density residential.

The applicant Yanez Construction is requesting an additional 12-month extension for the Macias Tract No. 6289. An approval of the extension will allow a new expiration date of October 28, 2023.

Pursuant to Orange cove Municipal Code, Section 16.20.160 (a) -Failure to record a final Map within twenty-four months from the approval of the tentative map or within any extension of time therefore granted by the city council, shall terminate all proceedings and a new tentative map shall be submitted. Currently a final map for the Macias Tentative map has not been recorded as the expiration of the map nears expiration on October 28, 2023.

Orange Cove Municipal Code, Section 16.20.170 allows for an extension of not more than twelve months and shall be approved by the city council. If the request is approved, the new expiration date shall for the Macias Tentative Map shall be October 28, 2023.

#### **Environmental Review**

The Macias Tentative Tract Map was previously analyzed and a Negative Declaration was approved by the City Council on October 28, 2020 by Resolution 2020-41 for the project.

#### **Attachments**

- 1. Resolution No. 2023-\_\_, approving a one-year extension of time for the Macias Tentative Tract Map No. 6289 for a 39-lot subdivision, commercial development and multi-family development at the northwest corner of Sumner Avenue and Anchor Avenue.
- 2. Request letter received from Yanez Construction dated and submitted on September 28, 2023 requesting extension of Macias Tentative Map.
- 3. Macias Tract Map No. 6289

#### **FINANCIAL INFORMATION**

#### FISCAL IMPACT: 1. Is There a Fiscal Impact? NO 2. Is It Currently Budgeted? N/A 3. If Budgeted, Which Line? N/A Prepared By: Approved By: City Attorney: Reviewed: City Manager: Finance: No Action Type of Item: Council Action: Approved Denied Consent Public hearing Info Item Matter Initiated by a Council Member Other Action Item Department Report Continue To: \_\_ Redevelopment Aency



42931 Road 52 Reedley, CA. 93654 559-638-6644

9/28/2023

Mr. Shun Patlan City of Orange Cove 633 Sixth Street Orange Cove, CA. 93646

RE: Macias Tract 6289 Tentative Tract Map Extension

We are requesting that the City Council grant a 12-month extension to complete the processing of this Tentative Tract Map. Please forward this extension request to the City Clerk for filing and City Council for consideration.

Sincerely,

Effeth Yanez, President

Date

#### RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE APPROVING A ONE-YEAR EXTENSION OF TIME FOR THE MACIAS TRACT MAP NO. 6289 FOR 39-LOT SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF SUMNER AND ANCHOR AVENUES

WHEREAS, on October 28, 2020, the Orange Cove City Council adopted Resolution No. 2020-43 approving the Macias Tentative Tract Map No. 6289 for a 39-lot subdivision of land and proposed street improvements/dedications to accommodate for the proposed 6,000 square foot lots minimum(s), (5) acres of commercial development and (5) acres of multi-family development located at the northwest corner of Sumner and Anchor Avenue; and

WHEREAS, Macias Tentative Tract Map No. 6289 was set to expire on October 28, 2022; and

WHEREAS, the applicant, Yanez Construction requested a one-year extension of time for the Macias Tentative Tract Map No. 6289 on August 8, 2022 which was received prior to the map expiration date of October 28, 2022 and was approve by the Orange City Council on September 28, 2022:

WHEREAS, Applicant Yanez construction has submitted a request for an additional 12-month extension:

WHEREAS, pursuant to the Orange Cove Municipal Code, Section 16.20.160 allows for an extension of not more than twelve months upon a timely filing and upon approval of the extension request. The approved extension request will extend the Macias Map No. 6289 expiration date to October 28, 2024 and;

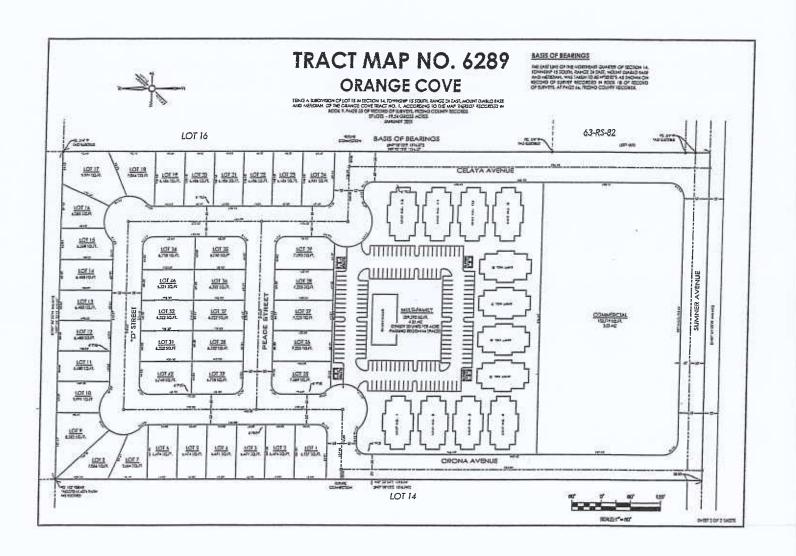
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Orange Cove makes the following:

1. An extension request for the of Macias Tentative Tract No. 6289 is hereby approved for a twelve month period to October 28, 2024

THE EODECOING DESOLUTION was passed and adopted by the City Council of the

City of	Orange Cove the 11 <sup>th</sup> day of Octoer, 2023.
AYES:	
NOES:	
ABST A	AIN:

ABSENT:			
-	Diane Guerra-Silva, Mayor		
ATTEST:			
	tify that the foregoing is a trumeeting thereof held on the		adopted
	elanie A. Carter erim City Clerk		





	Meeting Date: 10/11/23
	Agenda Item:
City Council Meeti	ng

REPORT TO:

**Orange Cove City Council** 

REPORT FROM:

Shun Patlan, Planner

**AGENDA ITEM:** 

Consideration of a One-Year Extension for Howard Tentative Tract

Map No. 6288

ACTION REQUESTED: \_Ordinance

X Resolution

Motion

Receive/File

#### RECOMMENDED;

- 1. Staff recommends the city council consider taking the following Action:
  - A. Approve a One-Year Extension of time for the Howard Tentative Tract Map No. 6288 for a 156-lot Subdivision located on the Northeast Corner of Jabos and Adams Avenue in Orange Cove, CA

#### **EXECUTIVE SUMMARY**

On October 28, 2020 the Orange Cove City Council approved by Resolution No. 2020-39 for the Howard Tentative Subdivision Tract Map No. 6288 located at the Northwest Corner of Jacobs and Adams Avenue.

The Howard Tentative Subdivision Tract Map No. 6288 is set to expire on October 28, 2022. The applicant Mr. Eric Weddell has submitted a written request for a one-year extension of time for Howard Tract No. 6288. The approved Howard Tentative Tract Map incorporates 39.6 acres with 156-single family homes and 100-units of Multi-family High Density Units.

On October 13, 2022 the applicant submitted a twelve-month extension of the Howard Tract Map No. 6288 and was approved by the Orange Cove City Council with a new expiration date of October 28, 2023.

The applicant has submitted an extension request for an additional twelve-month extension and if approved will extent the Howard Trac Map to October 28, 2024

Pursuant to Orange cove Municipal Code, Section 16.20.160 (a) -Failure to record a final Map within twenty-four months from the approval of the tentative map or within any extension of time therefore granted by the city council, shall terminate all proceedings and a new tentative

map shall be submitted. Currently a final map for the Howard Tentative Tract Map No. 6288 has not been recorded as the expiration of the map nears expiration on October 28, 2023.

Orange Cove Municipal Code, Section 16.20.170 allows for an extension of not more than twelve months and shall be approved by the city council. If the request is approved, the new expiration date for the Howard Tentative Map No. 6288 shall be October 28, 2023.

#### **Environmental Review**

The Howard Tentative Tract Map No. was previously analyzed and a Negative Declaration was approved by the City Council on October 28, 2020 by Resolution 2020-37 for the project.

#### **Attachments**

- 1. Resolution No. 2023-\_\_, approving a one-year extension of time for the Howard Tentative Tract Map No. 6288 for a 156-lot subdivision and 100-Multi-Famly High Density Residential at the Northeast corner of Jacobs and Adams Avenues.
- 2. Received request from applicant Mr. Eric Weddell dated September 29, 2023 requesting extension of the Howard Tract Map No. 6288
- 3. Copy of Howard Tentative Tract Map No. 6288

#### **FINANCIAL INFORMATION**

FISCAL IMPACT.

1. Is There a Fiscal Imp 2. Is It Currently Budge 3. If Budgeted, Which	eted? N	O //A //A		0.74
Prepared By:	B	Appro	oved By:	
Reviewed: City Manager:	Fin	ance:	City Attorney:	
Type of Item: Council	Action: Approved	Denied	No Action	
ConsentInfo ItemAction ItemDepartment ReportRedevelopment Aency		_Public he _Matter In _Other _Continue	itiated by a Council Member	

#### Shun

From: Eric Waddell <ewranches@gmail.com>
Sent: Friday, September 29, 2023 1:17 PM
To: Shun
Subject: Howard tract map

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Eric Waddell 3825 E Howard Ave Visalia,Ca. 93292 559-333-1287

To whom it may concern,

I would like to request an additional extension for the Howard tentative tract map #6288. This property is located on the NW corner of Jacobs and Adams.

Eric Waddell

This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.

#### RESOLUTION 2023-

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE APPROVING A ONE-YEAR EXTENSION OF TIME FOR THE HOWARD TENTATIVE TRACT MAP NO. 6288 FOR A 156-LOT SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF JACOBS AND ADAMS AVENUES

WHEREAS, on October 28, 2020, the Orange Cove City Council adopted Resolution No. 2020-39 approving the Howard Tentative Tract Map No. 6288 for a 156-lot subdivision of land and proposed street improvements/dedications to accommodate 156- lot subdivision and for 100-Multi-family Residential Units on 36-acres at the northwest corner of Jacobs and Adams Avenue; and

WHEREAS, Howard Tentative Tract Map No. 6288 is set to expire on October 28, 2022; and

WHEREAS, the applicant, Mr. Eric Waddell has requested a one-year extension of time for the Howard Tentative Tract Map No. 6288 on October 13, 2022 which was received prior to the map expiration date of October 28, 2022:

WHEREAS, pursuant to the Orange Cove Municipal Code, Section 16.20.160 allows for an extension of not more than twelve months upon a timely filing and upon approval of the extension request. On September 28, 2022 the Orange Cove City Council approved a 12-month extension request for Macias Map No. 6288 with a new expiration date to October 28, 2023 and;

WHEREAS, the applicant Eric Weddle (Howard Annexation) has submitted an additional request for a 12-month extension. The approved 12-month extension request will extend the Howard Tract Map, No. 6288 expiration date to October 28, 2024:

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

1. An extension request for the of Howard Tentative Tract No. 6288 is hereby approved for a twelve-month period to October 28, 2024

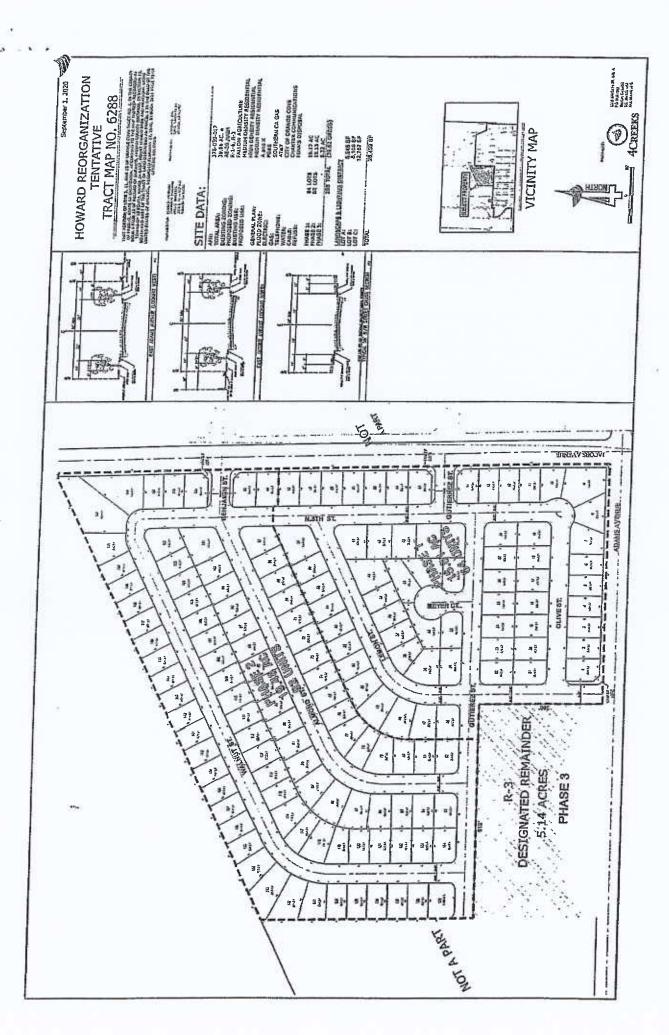
THE FOREGOING RESOLUTION was passed and adopted by the City Council of the City

Diane Guera-Silva, Mayor

#### ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the City Council duly adopted at a regular meeting thereof held on the 11<sup>th</sup> day of October 2023.

Melanie A. Carter Interim City Clerk







# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

From: Megan Dodd, City Attorney

Subject: Approval of the Purchase and Sale Agreement between the City of

Orange Cove and Raul Santellan

Attachments: Purchase and Sale Agreement between the City of Orange Cove and

Raul Santellan

#### **RECOMMENDATION:**

Staff recommends that the Council approve the purchase and sale agreement between the City of Orange Cove and Raul Santellan.

#### **BACKGROUND:**

The City would like to purchase Raul Santellan's property for a future project. City Attorney has prepared a purchase agreement for the property, which has been attached to this staff report.

#### FISCAL IMPACT:

\$450,000

# **CONFLICT OF INTEREST:**

None.

Prepared by: City At	torney	Approved by: Megan Dodd			egan Dodd
REVIEW: City Mana	ager:	Finan	ce:	_	City Attorney:
TYPE OF ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACT	ION
Consent Info Item X Action Item Department Redevelopm					Public Hearing Matter Initiated by a Council Member Other Continued to:

# PURCHASE AND SALE AGREEMENT (APNs 375-173-04T and 378-023-34ST, Orange Cove, California)

#### **RECITALS**

- A. Seller is the owner of certain real property (the "Property") identified as APN 375-173-04T, Orange Cove, California as further described in <u>Exhibit A</u> attached hereto and incorporated herein by reference.
- B. Buyer desires to purchase from Seller and Seller desires to sell to Buyer Seller's right, title and interest in and to the Property.
- C. Additionally, Buyer owns certain real property (the "Exchange Property") identified as APN 378-023-34ST Orange Cove, California as further described in <a href="Exhibit B">Exhibit B</a> attached hereto and incorporated herein by reference.
- D. Seller desires to receive the Exchange Property owned by Buyer in consideration for the sale of the Property.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, Buyer and Seller (the "Parties") agree as follows:

# 1. Purchase and Sale of the Property.

Subject to the terms and conditions set forth below, Seller agrees to sell its right, title and interest in and to the Property to Buyer.

#### 2. Purchase Price.

The purchase price for the Properties shall be Four Hundred Seventy-Two Thousand Five Hundred Dollars (\$472,500.00) (the "Purchase Price"). Four Hundred Fifty Thousand Dollars (\$450,000.00) of the Purchase Price will be paid by the Buyer in Cash. The additional Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) will be provided by giving Seller the Exchange Property, which is valued at Twenty-Two Thousand Five Hundred Dollars (\$22,500.00). Giving the Exchange Property to Seller is subject to the Surplus Land Act, and should Buyer be legally prevented from giving the Exchange Property to Seller, Buyer will pay Seller an additional Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) in cash.

# 3. Opening Escrow.

Prior to Closing, the Parties shall establish an escrow ("Escrow") with <u>Chicago Title</u> <u>Company</u> ("Escrow Holder") or a mutually acceptable title company. Upon opening of escrow,

Buyer will deposit the sum of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00) (the "Initial Deposit") as evidence of its good faith intention to close the escrow. The Initial Deposit shall be in the form of cash.

#### 4. Escrow and Closing.

- 4.1 Upon the opening of escrow, Buyer shall have a period of one hundred twenty (120) calendar days following the opening of escrow (the "Feasibility Period") to determine the feasibility of purchasing the Property. At any time prior to the end of the Feasibility Period, Buyer may terminate the Agreement for any reason and obtain a full refund of the Deposit. At the end of one hundred twenty (120) days, should Buyer be satisfied of its due diligence items and wish to continue forward, Buyer shall notify the escrow holder and provide for the initial Two Thousand Five Hundred Dollars (\$2,500) deposit to become non-refundable, but applicable to the purchase price.
- 4.2 Subject to satisfaction of the contingencies hereinafter described, Escrow Holder shall close this Escrow (the "Closing") by:
  - (a) recording the Grant Deed (defined below) and other documents required to be recorded in the Official Records of Fresno County; and
  - (b) disbursing the Purchase Price to Seller and other funds in accordance with the escrow instructions to be provided by Buyer and Seller.

#### 5. Conditions to Close.

Buyer's agreement to purchase the Property is contingent upon the execution of an Agreement with Fresno County Housing Authority to complete a project on the Property. Should Fresno County Housing Authority choose to not move forward with the project, Buyer will not be required to purchase the Property.

#### 6. Costs of Escrow.

All fees and costs of Escrow shall be paid by Buyer, including but not limited to the premium for Buyer's owner's policy of title insurance.

# 7. Representations and Warranties.

The Seller represents, warrants and covenants to the Buyer, as of the date of this Agreement and as of the date of Closing, as follows:

(a) <u>No Condemnation</u>. To the best of the Seller's actual knowledge, there is no pending or threatened condemnation or similar proceeding affecting the Property, or any portion thereof, nor does the Seller have any actual knowledge that any such action is contemplated.

- (b) No Proceedings. To the best of Seller's actual knowledge, there are no legal actions, suits, or other legal or administrative proceedings, including condemnation cases, pending or threatened against or affecting the Property or Seller's title to the Property. Seller has not received notice from any public agency or entity with respect to any future proceeding or basis for any future proceeding against or affecting the Property or any part of the Property, or concerning any existing or potential, past, present or future toxic or hazardous material or conditions at the Property.
- (c) <u>Clear Title</u>. Seller is the owner of the Property and, to the best of Seller's actual knowledge, Seller has marketable and insurable fee simple title to the Property free of restrictions, leases, liens and other encumbrances except for such items reflected in Buyer's title policy. Prior to the Closing, Seller shall not convey or accept any offer to convey the Property or any portion of the Property nor shall Seller encumber or permit encumbrance of the Property in any way nor grant any property, contract or occupancy right relating to the Property or any portion thereof without the prior written consent of Buyer which may be withheld in Buyer's sole and absolute discretion.
- (d) Environmental Status. Seller has not received notice from any public agency or entity with respect to any future proceeding or basis for any future proceeding against or affecting the Property or any part of the Property, or concerning any existing or potential, past, present or future Hazardous Materials (as defined below) or conditions on, in, under or otherwise affecting the Property. Seller possesses no environmental reports for the Property. Seller does not use, treat, store or dispose of, and has not permitted anyone else to use, treat, store or dispose of, whether temporarily or permanently, any Hazardous Materials at the Property in violation of any federal, state, or local law, regulation or ordinance, and to the best of Seller's actual knowledge there are no Hazardous Materials located on or about the Property; provided however, Seller makes no representations or warranties regarding the use of Hazardous Materials at the Property by Seller's predecessors in interest. The term "Hazardous Material(s)" shall mean (1) any oil or any fraction thereof or petroleum products or "hazardous substance" as defined in Section 101(14) of CERCLA (42 U.S.C. Section 9601(14) or Section 25281(h) or 25316 of the California Health and Safety Code at such time; any "hazardous waste," "infectious waste" or "hazardous material" as defined in Section 25117, 25117.5 or 25501 (i) of the California Health and Safety Code at such time; any other waste, substance or material designated or regulated in any way as "toxic" or "hazardous" in the RCRA (42 U.S.C. Section 6901 et seq.), CERCLA Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.), Safe Drinking Water Act (42 U.S.C. Section 300 (f) et seq.), Toxic Substances Control Act (15 U.S.C. Section 2601 et seq.), Clean Air Act (42 U.S.C. Section 7401 et seq.), California Health and Safety Code (Section 25100 et seq. Section 39000 et seq.), or California Water Code (Section 13000 et seq.) at such time, or any other federal, state or local statute, law, ordinance, resolution, code, rule, regulation, order or decree regulating, relating to, or imposing criminal or civil liability or standards of conduct concerning, any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect; (2) any additional wastes, substances or material which at such time are classified, considered or regulated as hazardous or toxic under any other present or future environmental or other similar laws relating to the Property; and (3) any substance, product, waste or other material of any nature whatsoever which may give rise to liability under any of the above statutes or under any statutory or

common law theory based on negligence, trespass, intentional tort, nuisance or strict liability or under any reported decisions of a state or federal court.

(e) <u>Right to Possession</u>. Except as reflected in Buyer's title policy, to the best of Seller's actual knowledge, no person, firm, or corporation has a right to possession or is in possession of the Property or any portion thereof, as a lessee or tenant of Seller or otherwise except as approved by the Buyer in writing.

Seller makes the above representations with the understanding that each of said representations and warranties is material, notwithstanding any investigations, inspections or examinations made by or on behalf of Buyer, and has been relied upon by Buyer in connection herewith and shall be accurate, to the best of Seller's actual knowledge, at Closing. Seller shall indemnify, defend and hold Buyer and its partners, officers, directors, employees and agents harmless from and against any and all claims, demands, liabilities, costs, expenses, penalties and damages, (including reasonable attorneys' fees) arising out of, resulting or related in any manner to a breach of any of these representations by Seller.

#### 8. Conveyance by Deed.

At the Closing, the Seller shall convey title to the Property from the Seller to the Buyer by grant deed in a form approved by the Buyer and subject only to those exceptions to title approved by Buyer (the "Grant Deed"), and deliver possession of the Property to Buyer.

# 9. Property Taxes and Assessments.

Property taxes, assessments, utilities and all other charges related to the Property shall be prorated between the Seller and the Buyer as of the date of closing. Such prorations shall be made on the basis of a 365-day year.

#### 10. <u>"As Is"</u>.

- (a) Seller hereby represents and warrants that it has no actual knowledge of any hazardous substances located on or contained within or below the Property. Notwithstanding the representations contained herein, Buyer is purchasing the Property "as is" and Seller makes no representations as to the condition of the Property or its suitability for the purpose for which Buyer is acquiring the Property. Buyer waives all implied warranties associated with the Property, including, without limitation, the implied warranty of marketability and fitness for particular purpose.
- (b) Except as expressly set forth in this Agreement, Buyer will indemnify, defend, and will hold Seller and Seller's officials, officers, employees, and agents (collectively "Seller Parties") harmless and hereby waives, releases, remises, acquits and forever discharges Seller and the Seller Parties of and from any and all suits, causes of action, legal, equitable or administrative proceedings, claims, demands, actual damages, punitive damages, losses, costs, liabilities, interest, attorneys' fees and expenses of whatever kind and nature, in law or in equity, known or unknown, arising on the date of Closing or thereafter, and arising out of or in any way

connected with, directly or indirectly, or based upon or arising out of the physical or environmental condition, status, quality, nature, or state of the Property; provided however, such duty to indemnify, defend, and hold Seller harmless shall not apply with respect to Seller's gross negligence or intentional misconduct. It is the intention of this Agreement that, except for Seller's gross negligence and intentional misconduct and except as otherwise expressly set forth herein, any and all responsibilities and obligations of Seller to Buyer, and any and all rights or claims of Buyer, its successors and assigns and affiliated entities, with respect to, or as against Seller arising by virtue of, the physical or environmental condition of the Property are by this release provision declared to be, from and after Closing, null and void and of no present or future effect as to such Parties. With respect to the matters released by Buyer pursuant to this Section 11, Buyer waives the benefits of Section 1542 of the Civil Code of the State of California, which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

#### 11. No Brokers.

Each party represents to the other that it has not had any contact or dealings regarding the Property, or any communication in connection with the subject matter of this transaction, through any real estate broker or other person who can claim a right to a commission or finder's fee. If any broker or finder makes a claim for a commission or finder's fee based upon a contact, dealings, or communications, the party through whom the broker or finder makes this claim shall indemnify the other party, defend with counsel of the indemnified party's choice, and hold the indemnified party harmless from all expense, loss, damage and claims, including the indemnified party's attorneys' fees, if necessary, arising out of the broker's or finder's claim.

#### 12. Notices.

Unless otherwise provided herein, any notice, tender or delivery to be given pursuant to this Agreement by either party may be accomplished by personal delivery in writing or by first class certified mail, return receipt requested. Any notice by such mailing shall be deemed received three (3) after the date of mailing. Mailed notices shall be addressed as set forth below, but each party may change its address by written notice in accordance with this Section 12.

To Seller:

City of Orange Cove 633 Sixth Street Orange Cove, CA 93646

Attn: City Manager

To the Buyer:

Assignment.

The Buyer shall have the right to assign this Agreement and its rights hereunder at any time prior to Closing without the consent of Seller to any entity in which Buyer is the controlling party. In the event of such a transfer, the transferee shall assume the rights of the Buyer and the Buyer shall remain liable hereunder. Any other assignment shall not be made without Seller's consent, which shall not be unreasonably withheld.

#### 14. General Provisions.

- (a) <u>Headings</u>. The title and headings of the various sections hereof are intended for means of reference and are not intended to place any construction on the provisions hereof.
- (b) <u>Invalidity</u>. If any provision of this Agreement shall be invalid or unenforceable the remaining provisions shall not be affected thereby, and every provision hereof shall be valid and enforceable to the fullest extent permitted by law.
- (c) <u>Attorneys' Fees</u>. In the event of any litigation between the parties hereto to enforce any of the provisions of this Agreement, the unsuccessful party to such litigation agrees to pay to the successful party all costs and expenses, including reasonable attorneys' fees incurred by the successful party, all of which may be included as part of the judgment rendered in such litigation.
- (d) Entire Agreement. The terms of this Agreement and the documents referenced herein are intended by the Parties as a final expression of their agreement and may not be contradicted by evidence of any prior or contemporaneous agreement. The parties further intend that this Agreement constitute the exclusive statement of its terms and that no extrinsic evidence whatsoever may be introduced in any judicial proceedings involving this Agreement. No provision of this Agreement may be amended except by an agreement in writing signed by the parties hereto or their respective successors in interest. This Agreement shall be governed by and construed in accordance with the laws of the State of California.
- (e) <u>Successors</u>. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
  - (f) <u>Time of the Essence</u>. Time is of the essence in this Agreement.
- (g) <u>Cooperation of Parties</u>. The Seller and the Buyer shall, during the Escrow period, execute any and all documents reasonably necessary or appropriate to close the purchase and sale pursuant to the terms of this Agreement.
  - (h) <u>Counterparts</u>. This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the Parties have executed this Agreement on or as of the date first above written.

	"SELLER"
	CITY OF ORANGE COVE, a municipal corporation
Dated:, 2023	By: Daniel Parra City Manager
	"BUYER"
	By:

Dated: \_\_\_\_, 2023



Meeting Date: October 11, 2023

Agenda Item:

# **City Council Meeting**

REPORT TO:

**Orange Cove City Council** 

REPORT FROM:

Shun Patlan, Planner

AGENDA ITEM:

**Update Report** 

ACTION REQUESTED: Ordinance

nance Resolution

Motion

x Receive/File

#### Macias Tract Map

Yanez continues to grading the property for the Macias Tract. City engineer finalizing the improvement plan which include the ponding basin expansion.

#### **Blossom Heights Apartments**

Spoke with Mr. Young last week and states that he is finalizing the land entitlement applications for the project affordable apartment project at the Industrial Park. Staff are awaiting the application(s) submittal shortly. The property is being cleaned up and roughly graded,

#### Industrial 6.5-Acre Property (Universal Properties)

On September 26, 2023 staff received a concept site plan from the applicant/investors of the apartment project at the Industrial Park, applicant Lifestyle Energy was requesting a cursory review of the concept plan prior to official submittal. On September 27, 2023 staff prepared and sent a preliminary comment letter to the applicant. The applicant will incorporate the comments provided by staff on the site plan.

#### Commercial 8-acre Property

On August 29, 2023 staff met with Mr. Singh and his team to review some proposed conditions on the proposed tentative parcel map. The tentative map is on the 3<sup>rd</sup> plan check review. There were several concerns by the applicant in which the main concern was the condition to dedicate 38-feet of right of way on the north property line. Normally the developer would be required only to dedicate half the right-of-

way or 19-feet. The reason the city is requiring the extra 19-feet is to accommodate a road wide enough to access the new Sequia Park to the west of the project. The developer understood and will be revising the tentative parcel map for map review/approval within a week or so.

#### Lara Project

On September 28, 2023 Mr. Lara submitted the required site plan review application and fees to the city for the proposed Tire Shop at the Industrial park. Staff will be reviewing the submitted site plan.

#### **City Housing Element**

On September 25, 2023 COG informed city staff that the Orange cove Draft Housing Element was submitted to the State Department of Community Development (HCD) for the required 90-day review period. The 90-day review period run through December 24, 2023.

#### City Donuts -

City Donuts submitted improvement plans for a donut shop at the old hardware store at the southwest corner of 5<sup>th</sup> Street and Park Blvd. The improvement plan have been approved for a building permit. Staff is requesting contractor information for the project prior to issuance.

#### **Code Enforcement Matters**

- 1. <u>203 Park Avenue</u> Property owner has been provided the required notices to demolish and clear the property from the current public nuisance status. The property owner has failed to comply.
- 2. <u>433 Center Street</u> Property owner also has been provided the required notices to demolish the existing and outdated framed single-family structure. The property owner has failed to comply.

The cases were forwarded to the city attorney for processing and to obtain the abatement warrant(s) to authorize abatement by a contractor. Staff has received two preliminary bids for each property.

The city attorney's office has informed staff that on September 29, 2023, the abatement warrant requests were submitted to the court for processing.

#### Shun

From: Heidi Gen Kuong < Heidi.GenKuong@ascent.inc>

Sent: Monday, September 25, 2023 1:14 PM

To: Housing Elements@HCD

Cc: Chelsey Payne; Shun; tristan@weplancities.com

Subject: Submittal of the City of Orange Cove Draft Housing Element for Formal HCD Review

Attachments: 00\_OCHE\_HCD\_Submittal Letter\_FINAL\_09.25.23.pdf

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

On behalf of the City of Orange Cove, we are pleased to be submitting the City's draft Housing Element, for the first 90-day review period.

The draft Housing Element is part of the larger 2023-2031 Fresno Multi-Jurisdictional Housing Element, which is divided into two sections, the Regional Housing Element, and the Local Housing Element sections. The Regional Housing Element (dated August 2023) is available to view and download here (the website has links to the individual sections): Housing Elements - Fresno COG Multi-Jurisdictional Housing Element (fresnomjhe.com). The local section for the City of Orange Cove (Appendix 1J) can be found here: A1J OrangeCove HousingElement Aug2023.pdf (fresnomjhe.com). We are mailing a hard copy of the document that should arrive in the next few days. Please let us know if you do not receive the hard copy.

In compliance with public participation requirements pursuant to AB 215, the public review draft Housing Element was released on August 22, 2023, and was made available for public comment for 30 days. An email was sent to interested stakeholders notifying the release of the draft Housing Element and the document was posted online on the FCOG and City websites. The City did not receive any comments during the public review period, which ended on September 21, 2023. The City will continue to accept and review any comments received during the HCD review process and suggest any appropriate revisions to the draft Housing Element. This is outlined in the attached cover letter, which is also included in the hard copy submittal.

Assuming a review start date of today, September 25,2023, can you please confirm that the 90-day review process will be completed by December 24, 2023?

Please let us know if you have any questions. We appreciate your time reviewing the draft document and look forward to working with you.

Thank you,

Heidi

#### Heidi Gen Kuong, AICP

Urban Planner/Project Manager Senior Associate Pronouns: she/her/hers D 916.930.3191 | M 916.248.6323 heidi.genkuong@ascent.inc



# ORANGE COVE POLICE DEPARTMENT

# **SEPTEMBER 2023 MONTHLY STATISTICS**

CHIEF OF POLICE - JAVIER PEÑA



PAF	RT 1 CRIM	MES			
	AUG	SEPT	%	YTD	YTD
	2023	2023	Change	2022	2023
Homicide	0	0	0%	2	1
Rape	1	0	-100%	0	0
Attempted Murder	0	0	0%	2	1
Robbery	0	0	0%	3	3
Assault	1	0	-100%	7	7
Burglary	0	2	200%	15	17
Grand Theft Auto	3	1	33%	18	17
Total Part 1 Crimes	5	3	-40%	47	46
	Abcassas	0507	7		1000
	AUG	SEPT	%	YTD	YTD
	2023	2023	Change	2022	2023
Sex Crimes	1	4	300%	10	8
Narcotics	1	2	100%	24	12
Child Abuse	1	5	400%	4	11
Total Part 2 Crimes	3	11	267%	38	31
	AUG	SEPT	%	YTD	YTD
	2023	2023	Change	2022	2023
Total Traffic Collisions	6	3	-50%	34	33
Fatalities	0	0	0%	0	0
Injury	0	1	100%	4	3
Non Injury	2	1	-50%	20	15
Hit & Run	4	1	-75%	10	15
	AUG	SEPT	%	YTD	YTD
	2023	2023	Change	2022	2023
Total Traffic Citations	17	12	-29%	167	183
Total Vehicle Stops	94	59	-37%	838	853
Seatbelt Violations	0	0	0%	3	3
Unsafe Speed Violations	0	0	0%	9	7
	5	0	-100%	24	38
Fail To Obey Stop Sign/Light				11	12
Fail To Obey Stop Sign/Light Driving Under the Influence	2	0	-100%	/ /	12
Driving Under the Influence	2	11000			1
Driving Under the Influence Gang Arrests - Felony	2	0	0%	0	
Driving Under the Influence Gang Arrests - Felony Gang Arrests - Misdemeanor	2 0 0	0	0% 0%	0	1
Driving Under the Influence Gang Arrests - Felony	2	0	0%	0	1

	AUG	SEPT	%	YTD	YTD
	2023	2023	Change	2022	2023
5150	8	6	-25%	53	93
Agency Assist	10	7	-30%	55	64
Battery	1	2	100%	8	12
Evading/Obstructing Officer	3	1	-67%	9	19
Fraud	0	0	0%	4	16
Identity Theft	0	0	0%	0	3
Spousal Abuse	6	5	-17%	37	44
Grafitti/Vandalism	5	6	20%	29	40
Veh. Burglaries	0	2	200%	2	11
General Incidents	27	31	15%	114	196
Weapons Confiscated	2	0	-100%	12	13
Petty Theft	3	9	200%	18	37
Public Intoxication	2	2	0%	10	14
Suspended License	1	2	100%	10	15
Unlicensed Drivers	10	4	-60%	48	72
Vehicles Towed	8	2	-75%	72	48
Vehicles Released	5	0	-100%	35	25
Case Number Drawn	120	122	2%	942	1,052