

**CORCORAN CITY COUNCIL,
JOINT POWERS FINANCE AUTHORITY,
SUCCESSOR AGENCY FOR CORCORAN RDA,
& HOUSING AUTHORITY
AGENDA**

**City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 93212**

**Tuesday, March 9, 2021
5:30 P.M**

*** IMPORTANT NOTICE ***

The March 9, 2021 city council meeting is being conducted utilizing teleconferencing and electronic means consistent with Governor Newsom's Executive Order N-29-20, regarding the COVID-19 pandemic. The public may participate in the meeting using the following steps:

Join Zoom Meeting

<https://us02web.zoom.us/j/86323000598?pwd=cXNzUEs4VEEzK3pONm9MSjJqMWxvdz09>

Meeting ID: 863 2300 0598

Passcode: 443122

One tap mobile

+16699006833,,86323000598#,,, *443122# US (San Jose)

+12532158782,,86323000598#,,, *443122# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 863 2300 0598

Passcode: 443122

Members of the public wishing to address the City Council during public comment or during a specific agenda item, please press "Raise Hand" if you are joining via Zoom or press "9" if you are joining by phone. Please state your name and address. Members of the public will be allowed five minutes to address the Council during public comment period or during public hearings.

Public Inspection: A detailed City Council packet is available for review at the City Clerk's Office, located at Corcoran City Hall, 832 Whitley Avenue.

Notice of ADA Compliance: In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (559) 992-2151.

ROLL CALL

Mayor:	Patricia Nolen
Vice Mayor:	Jeanette Zamora-Bragg
Council Member:	Greg Ojeda
Council Member:	Sidonio "Sid" Palmerin
Council Member:	Jerry Robertson

1. PUBLIC DISCUSSION

Members of the audience may address the Council on non-agenda items; however, in accordance with government code section 54954.2, the Council may not (except in very specific instances) take action on an item not appearing on the posted agenda.

This is the time for members of the public to comment on any matter within the jurisdiction of the Corcoran City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item. The councilmembers ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome.

After receiving recognition from the chair, speakers shall state their name and address and proceed with comments. Each speaker will be limited to five (5) minutes.

2. CONSENT CALENDAR (VV)

All items listed under the consent calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion of any item on the consent calendar, the item can be removed at the request of any member of the City Council and made a part of the regular agenda.

- 2-A. Approval of minutes of the meeting of the City Council on February 23, 2021.
- 2-B. Authorization to read ordinances and resolutions by title only.
- 2-C. Approve removal of Kindon Meik from all bank accounts related to the City of Corcoran Joint Powers Finance Authority, Successor Agency for the Corcoran RDA, and Housing Authority.
- 2-D. Approval of Final Map 06-04 that was approved by the Planning Commission on April 9, 2007.

3. **APPROPRIATIONS** (VV)

Approval of Warrant Register dated March 9, 2021. (Ruiz-Nuñez) (VV)

4. **PRESENTATIONS** – None

5. **PUBLIC HEARINGS** – None

6. **WRITTEN COMMUNICATIONS** – None

7. **STAFF REPORTS**

7-A. Consider Resolution No. 3078 authorizing the installment sale agreement, authorizing the execution of all necessary documents, and appointing the firm of Kutak Rock LLP as bond council. (Meik) (VV)

7-B. (Faulkner) (VV)

8. **MATTERS FOR MAYOR AND COUNCIL**

8-A. Information Items

8-B. Staff Referral Items - *Items of Interest (Non-action items the Council may wish to discuss)*

8-C. Committee Reports

9. **CLOSED SESSION**

9-A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

With respect to every item of business to be discussed in closed session pursuant to [Section 54956.9](#):

Name of Case: City of Corcoran v. Curtimade Dairy Inc.
Case No. 276661

9-B. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

With respect to every item of business to be discussed in closed session pursuant to [Section 54956.9](#):

Name of Case: Curtimade Dairy Inc. vs. City of Corcoran
Case No. 282532

9-C. **PERSONNEL** (Government Code § 54957(b)). It is the intention of this governing body to meet in closed-session to:

- Consider the discipline, dismissal or release of a public employee.
- Hear complaints or charges against a public employee.
- Consider public employee appointment/employment for the position of:
 City Manager
- Consider public employee performance evaluation for the position of:

9-D. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S)**

With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54956.8:

Property: APN: 034-172-020

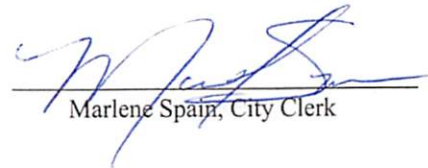
Agency negotiator: City Manager

Negotiating parties: _____

Under negotiation: Price/Terms

10. **ADJOURNMENT**

I certify that I caused this Agenda of the Corcoran City Council meeting to be posted at the City Council Chambers, 1015 Chittenden Avenue on March 5, 2021.



Marlene Spain, City Clerk

**CORCORAN CITY COUNCIL,
JOINT POWERS FINANCE AUTHORITY,
SUCCESSOR AGENCY FOR CORCORAN RDA,
& HOUSING AUTHORITY
AGENDA**

Tuesday, February 23, 2021

The regular session of the Corcoran City Council was called to order by Mayor Nolen, via Zoom at 5:32 P.M.

ROLL CALL

Councilmembers present by phone: Greg Ojeda, Pat Nolen, Sidonio Palmerin, Jerry Robertson and Jeanette Zamora-Bragg

Councilmembers absent:

Staff present by phone: Joseph Beery, Joseph Faulkner, Kindon Meik, Soledad Ruiz-Nuñez, Reuben Shortnacy, Marlene Spain, Kevin Tromborg, and Dylan Zable.

Press present: None

INVOCATION – None

FLAG SALUTE – None

1. **PUBLIC DISCUSSION** – None

2. **CONSENT CALENDAR**

Following Council discussion a **motion** was made by Zamora-Bragg and seconded by Ojeda to approve the Consent Calendar. Motion carried by the following vote:

AYES: Nolen, Ojeda, Palmerin, Robertson and Zamora-Bragg

NOES:

ABSENT:

3. **APPROPRIATIONS (VV)**

Following Council discussion a **motion** was made by Palmerin and seconded by Robertson to approve warrant register dated February 23, 201. Motion carried by the following vote:

AYES: Nolen, Ojeda, Palmerin, Robertson and Zamora-Bragg

NOES:

ABSENT:

4. **PRESENTATIONS**

- 4-A. Jennifer Meza, Tory Milazzo and Will Rogerson with Public Agency Retirement Services (PARS) gave a presentation on the PARS Section 115 Investment account regarding the status of the investment performance of the pension obligations prefunding.

5. **PUBLIC HEARINGS**

- 5-A. First Public Hearing to obtain comments regarding Unmet Transit Needs was declared open at 5:55 p.m. Community Development Director, Kevin Tromborg presented the staff report. There being no written or oral testimony the public hearing was declared closed at 5:58 p.m.

Second Public Hearing is scheduled for March 23, 2021.

6. **WRITTEN COMMUNICATIONS** – None

7. **STAFF REPORTS**

- 7-A. Following Council discussion a **motion** was made by Robertson and seconded by Zamora-Bragg to purchase the new Geographic Information System from ArcGIS. Motion carried by the following vote:

AYES: Nolen, Ojeda, Palmerin, Robertson and Zamora-Bragg

NOES:

ABSENT:

8. **MATTERS FOR MAYOR AND COUNCIL**

- 8-A. Council received information items.
8-B. Staff received referral items.
8-C. Committee reports.

CLOSED SESSION

The City Council convened in closed session at 6:18 p.m.

9-A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

Name of Case:

City of Corcoran v. Curtimade Dairy Inc.

9-B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

Name of Case: Curtimade Dairy Inc. vs. City of Corcoran
Case No. 282532

9-C. PERSONNEL (Government Code § 54957(b)). It is the intention of this governing body to meet in closed-session to:

- Consider the discipline, dismissal or release of a public employee.
- Hear complaints or charges against a public employee.
- Consider public employee appointment/employment for the position of:
City Manager
- Consider public employee performance evaluation for the position of:

9-D. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

Number of potential cases: One case.

The regular meeting was reconvened at 7:08p.m. The Mayor reported that there was no action taken in closed session to report to the public.

ADJOURNMENT 7:10 P.M.

Patricia Nolen, Mayor

Marlene Spain, City Clerk

APPROVED DATE: _____

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

**CONSENT CALENDAR
ITEM #: 2C**

MEMORANDUM

TO: City Council

FROM: Soledad Ruiz-Nuñez, Finance Director

DATE: March 2, 2021 **MEETING DATE:** March 9, 2021

SUBJECT: Remove Kindon Meik from all bank accounts related to the City of Corcoran, Joint Powers Finance Authority, Successor Agency for the Corcoran RDA, and Housing Authority.

Recommendation:

Approve the removal of Kindon Meik as an authorized signer on all bank accounts related to the City of Corcoran, Joint Powers Finance Authority, Successor Agency for the Corcoran RDA and Housing Authority.

Discussion:

Bank of the West is requesting council action in order to remove the signer for the accounts related to the City and it's related agencies.

Budget Impact:

No impact to the budget.

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

CONSENT CALENDAR ITEM #: 2C

MEMORANDUM

TO: City Council

FROM: Soledad Ruiz-Nuñez, Finance Director

DATE: March 2, 2021 **MEETING DATE:** March 9, 2021

SUBJECT: Remove Kindon Meik from all bank accounts related to the City of Corcoran, Joint Powers Finance Authority, Successor Agency for the Corcoran RDA, and Housing Authority.

Recommendation:

Approve the removal of Kindon Meik as an authorized signer on all bank accounts related to the City of Corcoran, Joint Powers Finance Authority, Successor Agency for the Corcoran RDA and Housing Authority.

Discussion:

Bank of the West is requesting council action in order to remove the signer for the accounts related to the City and it's related agencies.

Budget Impact:

No impact to the budget.

City of

CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

CONSENT CALENDAR
ITEM #: 2.1D

MEMORANDUM

TO: Corcoran City Council

FROM: Kevin J. Tromborg, Community Development Director

DATE: March 3, 2021

MEETING DATE: March 9, 2021

SUBJECT:

RECOMMENDATION:

Staff recommends that after review City Council Approve Final Map 06-04 that was approved by the Planning Commission on April 9, 2007

DISCUSSION:

In June of 2006, Mr. Fred Figueroa in conjunction with Surveyor James Hansen applied for a Tentative Parcel Map (TPM) splitting property located at 1508 North Avenue. The original map showed an irrevocable offer of dedication at the west end of the proposed lot split. The dedication was to be used for the extension of Letts Avenue through to North Avenue. Planning Commission, through Resolution 07-14 approved the TPM and the removal of the Irrevocable Dedication of land.

We are here today because it has come to our attention that the final map that was recorded in July of 2007 was not brought before the Council for final approval before being recorded. This does not invalidate the recording however, our records must show the final map as approved by Council.

BUDGET IMPACT:

No discernable impact

ATTACHMENT:

1. Final Map
2. Planning Commission Resolution 07-14

City Offices:

**CORCORAN CITY PLANNING COMMISSION
RESOLUTION 07-14
PERTAINING TO
TENTATIVE PARCEL MAP 06-04 AND VARIANCE 06-01
REMOVAL OF REQUIREMENT FOR IRREVOCABLE OFFER OF DEDICATION**

At a regular meeting of the Planning Commission of the City of Corcoran duly called and held on April 9th, 2007, on motion of Commissioner Garcia, seconded by Commissioner Stiger, and duly carried, the following resolution was adopted:

WHEREAS, Tentative Parcel Map 06-04, filed by Fred Figueroa was approved by Planning Commission on August 14, 2006; and

WHEREAS, the property is located on the northeast corner of Letts Avenue and North Avenue, APN 030-260-038; and

WHEREAS, the subject property is zoned R-1-6; and

WHEREAS, Condition No. 5 of Exhibit A, Resolution 06-14 stated "An irrevocable offer of dedication of 34 ft. is required for the Letts Avenue right of way and should be shown on the final parcel map"; and

WHEREAS, the City has determined that there will be adequate ingress and egress from Dairy Avenue and Orange Avenue because of a proposed subdivision on the southeast corner of Orange Avenue and Dairy Avenue; and

WHEREAS, it will no longer be necessary for the City to have the irrevocable offer of dedication; and

WHEREAS, the Planning Commission approved Variance 06-01 for this parcel on April 10, 2006, Resolution 06-03; and

WHEREAS, the Variance will lapse and become void on April 9, 2007; and

WHEREAS, the Planning Commission has carefully considered the staff report and recommendations on April 9th, 2007; and

WHEREAS, the Final Map must be corrected to show Parcel 1 to be a straight line of approximately 100 ft. wide and Parcel 2 to extend the westerly property line by 34 ft.

THEREFORE, BE IT RESOLVED as follows:

- A. That Condition No. 5 of Exhibit A, Resolution 06-14 requiring the 34 ft. irrevocable offer of dedication is hereby removed.
- B. That the Final Map must be corrected to show the width of Parcel 1 to be a

straight line of approximately 100 ft. and the depth will be 130.16 ft.

- C. Parcel 2 will have its westerly property line extended by 34 ft.
- D. All other conditions and provisions of Resolution 06-14 for Parcel Map 06-04 remain in full force and effect.
- E. That any changes, other than those noted above, will require that the Tentative Parcel Map be resubmitted to Planning Commission.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Corcoran by the following vote:

Voting: **AYES:** Commissioners: Garcia, Kessler, Stiger, and Weaver

NOES: None

ABSTAIN: None

ABSENT: Commissioners: Cortez, Venegas, and Tristao

Adopted this 9th day of April 2007.



Planning Commission Chairman



Community Development Director

#1

Accounts Payable

Blanket Voucher Approval Document



User: spineda
Printed: 02/22/2021 - 8:32AM
Warrant Request Date: 2/23/2021
DAC Fund:

Batch: 00523.02.2021 - Wrmt Rgstr 2/23/2021 FY21

Line	Claimant	Amount
1	Auto Zone, Inc.	38.39
2	Bald Eagle Construction	352.00
3	California Boiler Inc.	1,105.60
4	California Highway Patrol	300.00
5	Cannon Financial Services, Inc.	278.26
6	City of Avenal	4,284.00
7	City of Corcoran	30.47
8	College of the Sequoias	500.00
9	Courtney Stauffer	248.00
10	Home Depot Credit Services	594.37
11	Industrial Electric Machinery	420.00
12	Mattos Underground Construction, Inc.	13,445.75
13	PG&E	481.52
14	Valley Elevator Inc.	340.00
15	Verizon Wireless	827.07
16	W3i Engineering	2,100.00
Page Total:		\$25,345.43
Grand Total:		\$25,345.43

Page Total: \$25,345.43

Accounts Payable

Voucher Approval List



User: spineda
 Printed: 02/22/2021 - 8:33AM
 Batch: 00523.02.2021 - Wrnt Rgstr 2/23/2021 FY21 Addl Run

Warrant Date	Vendor	Description	Account Number	Amount
2/23/2021	Auto Zone, Inc.	CAR WASH ITEMS	104-421-300-260	26.49
2/23/2021	Auto Zone, Inc.	CAR WASH ITEMS	104-421-300-260	11.90
2/23/2021	Bald Eagle Construction	PLUMB REPAIR 24434 6 1/4 CORCORAN 93212	313-605-300-200	352.00
2/23/2021	California Boiler Inc.	BOILER GOES STRAIGHT TO ALARM. DOESNT TURN ON	120-435-300-140	552.80
2/23/2021	California Boiler Inc.	BOILER NOT HEATING	120-435-300-140	552.80
2/23/2021	California Highway Patrol	CHP VEH & TERMINA;L INSPECT	145-410-300-160	300.00
2/23/2021	Cannon Financial Services, Inc.	COPIER SVC RENTAL FEB 1-28, 2021 USAGE CHARGES	104-421-300-180	278.26
2/23/2021	City of Avenal	AC SVC AGREEMENT AVENAL CORC JAN 2021	104-421-300-203	4,284.00
2/23/2021	City of Corcoran	CITY SVC 1914 ESTES	301-430-300-316	30.47
2/23/2021	College of the Sequoias	TRAINING/FLORES, BEWARDER, BONILLA, GILBERT	104-421-300-270	500.00
2/23/2021	Courtney Stauffer	ICI CHILD ABUSE 3/7-12/2021	104-421-300-270	248.00
2/23/2021	Home Depot Credit Services	FRIDGE FOR SAMPLES	120-435-300-210	179.00
2/23/2021	Home Depot Credit Services	UNIT 259 TOOLS	120-435-300-210	199.00
2/23/2021	Home Depot Credit Services	PLYWOOD FOR BAINUM/VAN DORSTEN MANHOLE	120-435-300-140	115.07
2/23/2021	Home Depot Credit Services	WWTP LIGHTS NEAR GARAGE	120-435-300-210	101.30
2/23/2021	Industrial Electric Machinery	NILES PUMP #2 CHECK	120-435-300-200	420.00
2/23/2021	Mattos Underground Construction, Inc.	WTR SYS IMPROV INSERTAVALVE WHITLEY/PICKERALL	105-437-500-550	13,445.75
2/23/2021	PG&E	ACCT 3357250173-3	104-432-300-240	481.52
2/23/2021	Valley Elevator Inc.	SEMI ANNUAL LIFT INSPECTION @ CITY HALL	104-421-300-200	340.00
2/23/2021	Verizon Wireless	TRANSIT CELL PH SVE	145-410-300-220	143.65
2/23/2021	Verizon Wireless	WIRELESS AIR CARDS	145-410-300-220	38.01
2/23/2021	Verizon Wireless	BUSES AIR CARDS -6	145-410-300-220	228.06
2/23/2021	Verizon Wireless	ON CALL CELL PHN SVC	105-437-300-220	3.83
2/23/2021	Verizon Wireless	WIRELESS AIR CARDS	105-437-300-220	76.02
2/23/2021	Verizon Wireless	CELL PHN SVC TRINO GOMEZ	104-432-300-220	0.53
2/23/2021	Verizon Wireless	CELL PHN SVC JOE FAULKNER	104-431-300-200	2.03
2/23/2021	Verizon Wireless	WIRELESS AIR CARDS	104-431-300-200	38.01
2/23/2021	Verizon Wireless	COM DEV PHONES	104-406-300-220	127.33
2/23/2021	Verizon Wireless	COM DEV AIR CARDS 2	104-406-300-220	76.02
2/23/2021	Verizon Wireless	MOBILE MIFI HOTSPOT -PW	104-431-300-200	38.01
2/23/2021	Verizon Wireless	CELL PHN SVC -FINANCE	104-405-300-200	27.62
2/23/2021	Verizon Wireless	CELL PHN SVC -MARLENE SPAIN	104-402-300-200	27.95
2/23/2021	W3i Engineering	WEST LAGOON EXPANSION PROJ	120-435-300-200	2,100.00

Warrant Total: 25,345.43

#2

Accounts Payable

Blanket Voucher Approval Document



User: spineda
Printed: 02/23/2021 - 9:22AM
Warrant Request Date: 2/23/2021
DAC Fund:

Batch: 00524.02.2021 - Wrnt Rgstr 2/23/2021 FY21

Line	Claimant	Amount
1	Richard's Chevrolet	38,255.26
		Page Total: \$38,255.26
		Grand Total: \$38,255.26

Page Total: \$38,255.26

Accounts Payable

Voucher Approval List



User: spineda
Printed: 02/23/2021 - 12:37PM
Batch: 00524.02.2021 - Wmnt Rgstr 2/23/2021 FY21 Richards

Warrant Date	Vendor	Description	Account Number	Amount
2/23/2021	Richard's Chevrolet	2021 Chvy Silverado Unit 284 A Chavez WTP VIN#139129	105-437-500-540	38,255.26
Warrant Total:				38,255.26

Accounts Payable

Blanket Voucher Approval Document



User: spineda
Printed: 03/04/2021 - 10:26AM
Warrant Request Date: 3/9/2021
DAC Fund:

Batch: 00501.03.2021 - Wrnt Rgstr 3/9/21 FY21

Line	Claimant	Amount
1	1-800-Radiator	144.75
2	A & M Consulting Engineers	852.50
3	American Office Solutions, LLC	840.00
4	Best Deal Food Co Inc.	18.41
5	C. A. Reding Company, Inc	49.72
6	Caves & Associates	525.00
7	City of Corcoran	184.25
8	Corcoran Hardware	5.18
9	Corcoran Heating & Air	128.00
10	Corcoran Publishing Company	355.00
11	Data Ticket Inc	238.00
12	Dept of Justice	49.00
13	El Rico GSA	8,750.00
14	Farley Law Firm	7,015.97
15	FedEx	99.78
16	Frontier Communications	55.63
17	Frontier Communications	75.71
18	Galindo Farms Discing	130.00
19	Gary V. Burrows Inc.	1,679.87
20	Hinderliter, deLlames & Assoc	300.00
21	Ignacio Ozonos	200.00
22	Kings County Assessor	98.00
23	Kings County Clerk	140.00
24	League of California Cities	198.50
25	Nacho's Automotive	551.86
26	Navia Benefit Solutions	364.00
27	Nutrien AG Solutions, Inc.	1,466.43
28	Oliver Whitaker Co.	3,450.37
29	PG&E	9.86
30	PG&E	2,355.61
31	PG&E	11.17
32	PG&E	2,337.97
33	PG&E	4,919.04
34	PG&E	87,439.10
35	PG&E	33.11
36	Pick-Em Up Truck Store	682.99
37	Prudential Overall Supply	320.25
38	Ramiro Sanchez	150.00
39	Reliable Status Towing	240.00
40	Richard's Chevrolet	30.17
41	S & R Specialty Equipment	309.36
42	SHI International Corp.	209.11
43	Steam Cleaners Inc	450.00
44	Sterling Codifiers/American Legal Publishing	500.00
45	Sunshield Tint	150.00
46	TF Tire & Service	1,949.13

47	The Gas Company	3,144.33
48	Univar USA Inc	5,341.00
49	USPS	3,500.00
50	V & V Manufacturing Inc	323.51
51	WaterplaySolutions	40,083.75
52	WEX BANK	8,454.75
53	Will Tiesiera Ford-Mercury	78.34
54	Wood Bros., Inc	8,680.00
	Page Total:	\$69,605.68
	Grand Total:	\$199,668.48

Page Total: \$69,605.68

Accounts Payable

Voucher Approval List

User: spineda
Printed: 03/04/2021 - 10:27AM
Batch: 00501.03.2021 - Wrnt Rgstr 3/9/21 FY21



Warrant Date	Vendor	Description	Account Number	Amount
3/9/2021	1-800-Radiator	RADIATOR FOR UNIT 144	109-434-300-260	144.75
3/9/2021	A & M Consulting Engineers	BURGER PALACE	104-406-300-200	155.00
3/9/2021	A & M Consulting Engineers	BWW GRADING PLAN REVIEW	104-406-300-200	310.00
3/9/2021	A & M Consulting Engineers	IMPR PLAN REQ	104-406-300-200	155.00
3/9/2021	A & M Consulting Engineers	HSR AGREEMENT	104-406-300-200	232.50
3/9/2021	American Office Solutions, LLC	IT SERVICES	104-421-300-181	840.00
3/9/2021	Best Deal Food Co Inc.	COFFEE, CREAMER, AA BATT, DISH SPONGE	145-410-300-210	18.41
3/9/2021	C. A. Reding Company, Inc	DEPOT COPIER FEB 2021	145-410-300-180	49.72
3/9/2021	Caves & Associates	NEGOTIATIONS MARCH 2021	104-402-300-200	525.00
3/9/2021	City of Corcoran	2410 BELL CITY SVC	301-430-300-316	89.38
3/9/2021	City of Corcoran	1630 BREWER CITY SVC	301-430-300-316	94.87
3/9/2021	Corcoran Hardware	PD SUPPLIES	104-421-300-210	5.18
3/9/2021	Coreoran Heating & Air	HVAC REPAIR	104-432-300-200	128.00
3/9/2021	Coreoran Publishing Company	CAT AD JAN 7TH 2021	145-410-300-156	283.00
3/9/2021	Coreoran Publishing Company	NXLE AD 1/14 & 1/28	104-421-300-156	72.00
3/9/2021	Data Ticket Inc	CODE ENFORC CITATION PROCESSING JAN 2021	104-406-300-200	238.00
3/9/2021	Dept of Justice	LIVE SCAN FEE GLORIA ALFARO DOJ APP	104-412-300-200	49.00
3/9/2021	El Rico GSA	EL RICO 1ST QTR ASSES 2021	105-437-300-200	8,750.00
3/9/2021	Farley Law Firm	LEGAL EXP THROUGH FEB 2021	104-403-300-200	4,117.50
3/9/2021	Farley Law Firm	EXPENSES 1234 NORBOE	104-403-300-200	487.50
3/9/2021	Farley Law Firm	TRACT 785	104-403-300-200	90.00
3/9/2021	Farley Law Firm	527 DAIRY AVE	104-403-300-200	1,783.76
3/9/2021	Farley Law Firm	RETAINER FEE	104-403-300-200	250.00
3/9/2021	Farley Law Firm	UNARMED AIRCRAFT SYSTEM	104-403-300-200	287.21
3/9/2021	FedEx	FED EX LIFE INS CANCELLATION LETTERS	104-402-300-210	99.78
3/9/2021	Frontier Communications	ACCT 55999212650917185	120-435-300-220	55.63
3/9/2021	Frontier Communications	ACCT 55999286801122995	104-432-320-220	75.71
3/9/2021	Galindo Farms Discing	MONTHLY LAWN MAINT 2410 BELL FEB 2021-1116 SHERMAN	301-430-300-200	130.00
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	104-421-300-250	118.55
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	104-421-300-250	752.86
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	104-431-300-250	149.60
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	104-432-300-250	32.70
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	104-433-300-250	141.04
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	109-434-300-250	250.79

3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	112-438-300-250	109.90
3/9/2021	Gary V. Burrows Inc.	FUEL STATEMENT	120-435-300-250	124.43
3/9/2021	Hinderliter, deLJames & Assoc	CONTRACT SVCS-TRANS TAX	104-405-300-200	300.00
3/9/2021	Ignacio Ozonos	REMOVE & INSTALL CARPET 24434 6 1/4	313-605-300-200	200.00
3/9/2021	Kings County Assessor	UPDATED PARCEL INFO-CAMA DATA IN XLS	104-406-300-198	98.00
3/9/2021	Kings County Clerk	RECONVEYANCE 24544 5 1/2 AVE	301-430-300-200	20.00
3/9/2021	Kings County Clerk	RECONVEYANCE 24544 5 1/2 AVE	301-430-300-200	20.00
3/9/2021	Kings County Clerk	RECONVEYANCE 2204 NORTH	301-430-300-200	20.00
3/9/2021	Kings County Clerk	RECONVEYANCE 2035 VAN DORSTEN	301-430-300-200	20.00
3/9/2021	Kings County Clerk	RECONVEYANCE 2035 VAN DORSTEN	301-430-300-200	20.00
3/9/2021	Kings County Clerk	RECONVEYANCE 2035 VAN DORSTEN	301-430-300-200	20.00
3/9/2021	Kings County Clerk	RECONVEYANCE 2035 VAN DORSTEN	301-430-300-200	20.00
3/9/2021	League of California Cities	LEAGUE OF CA CITIES SSVJ MEMBERSHIP 2021	104-401-300-170	198.50
3/9/2021	Nacho's Automotive	RCM & WIRING HARNESS UNIT 145	109-434-300-260	551.86
3/9/2021	Navia Benefit Solutions	COBRA ADMIN FEB 2021	104-402-300-200	110.00
3/9/2021	Navia Benefit Solutions	FSA ANNUAL FEE/MANUAL ENROLL 2021 PLAN YEAR	104-402-300-200	254.00
3/9/2021	Nutrien AG Solutions, Inc.	ROUNDUP SPRAY	105-437-300-210	1,059.20
3/9/2021	Nutrien AG Solutions, Inc.	WEED SPRAY	105-437-300-210	407.23
3/9/2021	Oliver Whitaker Co.	R&R CLUTCH AND FLYWHEEL UNIT 24	105-437-300-140	3,450.37
3/9/2021	PG&E	ACCT 99497000756-9	111-601-300-240	10.51
3/9/2021	PG&E	ACCT 99497000756-9	145-410-300-240	809.93
3/9/2021	PG&E	ACCT 99497000756-9	138-419-300-206	2,663.07
3/9/2021	PG&E	ACCT 99497000756-9	104-412-300-240	711.00
3/9/2021	PG&E	ACCT 99497000756-9	104-432-300-240	4,415.83
3/9/2021	PG&E	ACCT 99497000756-9	104-432-320-240	232.83
3/9/2021	PG&E	ACCT 99497000756-9	109-434-300-240	350.01
3/9/2021	PG&E	ACCT 99497000756-9	120-435-300-240	18,267.12
3/9/2021	PG&E	ACCT 99497000756-9	121-439-300-240	1,059.77
3/9/2021	PG&E	ACCT 99497000756-9	105-437-300-240	58,919.03
3/9/2021	PG&E	ACCT 5304135173-4	111-601-300-240	74.00
3/9/2021	PG&E	ACCT 5304135173-4	111-603-300-240	10.25
3/9/2021	PG&E	ACCT 5304135173-4	111-604-300-240	125.44
3/9/2021	PG&E	ACCT 5304135173-4	104-412-300-240	11.25
3/9/2021	PG&E	ACCT 5304135173-4	109-434-300-240	4,698.10
3/9/2021	PG&E	ACCT 13015938064	104-432-300-240	2,337.97
3/9/2021	PG&E	ACCT 84659647279	301-430-300-316	9.86
3/9/2021	PG&E	ACCT 94172356415	301-430-300-316	11.17
3/9/2021	PG&E	ACCT 10561736330	301-430-300-316	33.11
3/9/2021	PG&E	ACCT 27777837660	105-437-300-240	2,355.61
3/9/2021	Pick-Em Up Truck Store	SPRAY BEDLINER UNIT 284	105-437-300-260	682.99
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	145-410-300-200	34.52
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	136-415-300-200	25.21
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	104-432-300-200	110.02
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	104-432-300-200	30.27

3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	104-432-320-200	16.04
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	104-433-300-200	21.44
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	104-433-300-200	11.42
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	120-435-300-200	34.52
3/9/2021	Prudential Overall Supply	ENTRANCE RUGS/SHOP TOWELS/DUST MOPS	105-437-300-200	36.81
3/9/2021	Ramiro Sanchez	VINYL LETTERS & NUMBERS UNIT 281,284,285,284	105-437-300-260	150.00
3/9/2021	Reliable Status Towing	1070 PUEBLO AVE	104-406-300-194	60.00
3/9/2021	Reliable Status Towing	1509 ESTES AVE	104-406-300-194	60.00
3/9/2021	Reliable Status Towing	1070 PUEBLO AVE	104-406-300-194	60.00
3/9/2021	Reliable Status Towing	DAIRY AVE TOW	104-406-300-194	60.00
3/9/2021	Richard's Chevrolet	ANTENNA FOR UNIT 258	105-437-300-260	30.17
3/9/2021	S & R Specialty Equipment	SPRAYER REPAIRS	105-437-300-140	309.36
3/9/2021	SHI International Corp.	BLACK TONER FOR FINANCE PRINTER HP14A	104-405-300-150	209.11
3/9/2021	Steam Cleaners Inc	TOOK UNIT 206 TO STEAM CLEANERS FOR REPAIRS	109-434-300-140	419.09
3/9/2021	Steam Cleaners Inc	PR WASHER HP UNIT 206	109-434-300-140	30.91
3/9/2021	Sterling Codifiers/American Legal Publishing	HOSTING FEE FOR 2021	104-401-300-200	500.00
3/9/2021	Sunshield Tint	WINDOW TINT UNIT 246	104-421-300-260	150.00
3/9/2021	TF Tire & Service	4 TIRES FOR UNIT 203	104-421-300-260	624.10
3/9/2021	TF Tire & Service	TIRES FOR UNIT 232	104-421-300-260	409.23
3/9/2021	TF Tire & Service	2 REAR TIRES FOR FORKLIFT 184	109-434-300-140	570.81
3/9/2021	TF Tire & Service	2 TIRES FOR UNIT 259	105-437-300-260	344.99
3/9/2021	The Gas Company	ACCT 11484795064	138-419-300-206	3,144.33
3/9/2021	Univer USA Inc	SODIUM HYPOCHLORITE CHEMICALS	105-437-300-193	5,341.00
3/9/2021	USPS	POSTAGE FOR BILLING	104-405-300-150	3,500.00
3/9/2021	V & V Manufacturing Inc	PD BADGES	104-421-300-210	323.51
3/9/2021	WaterplaySolutions	MEASURE A SPLASHPAD 50% DEPOSIT	138-413-500-540	40,083.75
3/9/2021	WEX BANK	FUEL STATEMENT	104-406-300-250	57.99
3/9/2021	WEX BANK	FUEL STATEMENT	104-421-300-250	3,452.00
3/9/2021	WEX BANK	FUEL STATEMENT	105-437-300-250	1,904.49
3/9/2021	WEX BANK	FUEL STATEMENT	120-435-300-250	731.23
3/9/2021	WEX BANK	FUEL STATEMENT	109-434-300-250	368.61
3/9/2021	WEX BANK	FUEL STATEMENT	104-412-300-250	300.46
3/9/2021	WEX BANK	FUEL STATEMENT	104-432-300-250	117.95
3/9/2021	WEX BANK	FUEL STATEMENT	104-432-300-250	-66.17
3/9/2021	WEX BANK	FUEL STATEMENT	104-421-300-250	1,588.19
3/9/2021	Will Tiesiera Ford-Mercury	HUB CAP UNIT 275	104-421-300-260	78.34
3/9/2021	Wood Bros., Inc	RIPPING 20 ACRES- PISTACHIO	139-450-300-200	8,680.00

Warrant Total: 199,668.48

Vendor Name	Invoice Number	Invoice Date	Invoice Amount	Approval Status	Approval Date	Approval User
ABC COMPANY	12345	03/01/2021	1000.00	APPROVED	03/04/2021	J. SMITH
DEF COMPANY	67890	03/02/2021	500.00	PENDING		
GHI COMPANY	11111	03/03/2021	200.00	REJECTED	03/04/2021	J. SMITH
JKL COMPANY	22222	03/04/2021	750.00	APPROVED	03/04/2021	J. SMITH
MNO COMPANY	33333	03/05/2021	150.00	PENDING		
PQR COMPANY	44444	03/06/2021	300.00	REJECTED	03/04/2021	J. SMITH
STU COMPANY	55555	03/07/2021	600.00	APPROVED	03/04/2021	J. SMITH
VWX COMPANY	66666	03/08/2021	400.00	PENDING		
YZA COMPANY	77777	03/09/2021	250.00	REJECTED	03/04/2021	J. SMITH
BCD COMPANY	88888	03/10/2021	100.00	APPROVED	03/04/2021	J. SMITH

City of

CORCORAN

FOUNDED 1914

City Manager's Office

STAFF REPORT
ITEM #: 7-A

MEMO

TO: Corcoran City Council

FROM: Kindon Meik, City Manager

DATE: March 4, 2020

MEETING DATE: March 9, 2021

SUBJECT: Consider Resolution No. 3078 authorizing the installment sale agreement, authorizing the execution of all necessary documents, and appointing the firm of Kutak Rock LLP as bond council.

Recommendation:

Consider Resolution No. 3078 authorizing the installment sale agreement, authorizing the execution of all necessary documents, and appointing the firm of Kutak Rock LLP as bond council.

Discussion:

As part of its efforts to improve the water system and to be in compliance with State mandates, the City is moving forward with a water meter project. The project will install new meters on all properties that are currently unmetered (flat rate) and will upgrade all existing meters on metered properties. This will be an extensive project carried out in phases and will eventually install/replace all residential and commercial meters in the community.

In order to finalize the agreement with the State Water Resources Control Board, the City is required to submit the attached resolution authorizing the installment agreement and appoint bond council. Staff is recommending the firm of Kutak Rock LLP which will allow the City to work with Albert Reyes as the bond attorney. The City has worked with Mr. Reyes previously when the water bonds and the redevelopment agency bonds were refinanced. In each instance, the City was extremely satisfied with the work quality and professionalism of Mr. Reyes.

Budget Impact:

As outlined in the agreement with the State Water Resources Control Board, the City will receive funding for the water meter project. Approximately 50% of the funding will be allocated as a bond and will be repaid by the City. Bond repayments will be paid from the water fund. The remaining 50% of the allocation for the meter project will be a grant to the City. The grant will not require repayment.

Attachments:

- Resolution No. 3078
- Draft Bond Council Opinion Letter
- Draft City Attorney Opinion Letter

RESOLUTION NO. 3078

A RESOLUTION OF THE CITY OF CORCORAN AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A CONSTRUCTION INSTALLMENT SALE AGREEMENT AND AUTHORIZING THE EXECUTION OF OTHER NECESSARY DOCUMENTS AND RELATED ACTIONS

WHEREAS, the City of Corcoran (the “City”) is a general law city duly organized and validly existing under the laws of the State of California; and

WHEREAS, the City is authorized by the laws of the State of California to acquire and construct certain property for its water system and to finance such acquisition and construction of such water system through the execution of installment sale agreements; and

WHEREAS, the City proposes to finance certain improvements to the City’s water system, including the installation of water meters for the water system (the “2021 Project”); and

WHEREAS, to provide funds necessary to finance the 2021 Project, the City desires to enter into that certain Construction Installment Sale Agreement (the “Installment Sale Agreement”) with the California State Water Resources Control Board (the “State Water Board”) in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution; and

WHEREAS, there have been presented at this meeting the form of Installment Sale Agreement relating to such action; and

WHEREAS, the City desires to appoint Kutak Rock LLP, as bond counsel (“Bond Counsel”), in connection with the financing of the 2021 Project; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the financing and refinancing authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the City is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such financing for the purpose, in the manner and upon the terms herein provided.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY DOES HEREBY RESOLVE, DETERMINE AND ORDER:

Section 1. All of the recitals herein contained are true and correct and the City Council so finds.

Section 2. The form of Installment Sale Agreement submitted to this meeting and made a part hereof as though set forth herein is hereby approved. The Mayor, and such other member of the City Council as the Mayor may designate, the City Manager of the City, and such other officers

of the City as the City Manager of the City may designate (each, an “Authorized Officer”) are, and each of them is, hereby authorized and directed, for and in the name of the City, to execute and deliver the Installment Sale Agreement in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, with the advice and approval of the City Attorney and Bond Counsel, such requirement or approval to be conclusively evidenced by the execution and delivery of the Installment Sale Agreement by such Authorized Officer. In connection therewith, the City approves the execution and delivery of the Installment Sale Agreement so long as the maturity of the Payments (as defined in the Installment Sale Agreement) does not exceed [____], 20[____], the interest rate with respect to the Payments does not exceed [____]%, and the principal amount of the Payments does not exceed \$[____].

Section 3. The City Council hereby appoints the firm of Kutak Rock LLP, as bond counsel, in connection with the financing of the 2021 Project. The City Council hereby authorizes the City Manager to execute and deliver an agreement, if necessary, with said firm for its services. Payment of fees and expenses with respect to such agreements shall be contingent upon the execution of the Installment Sale Agreement.

Section 4. The Authorized Officers and staff of the City are hereby authorized and directed, jointly and severally, to do any and all things, to execute and deliver any and all documents, including but not limited to a fee agreement, costs of issuance agreement, custodian agreement or other similar agreements, which in consultation with the City Attorney and Bond Counsel, they may deem necessary or advisable in order to effectuate the purposes of this Resolution further including, but not limited to, the execution and delivery of any documents required by the State Water Board in order to complete the transactions contemplated by the Installment Sale Agreement, and any and all such actions previously taken by such Authorized Officers or staff members are hereby ratified and confirmed.

This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting held on _____ [____], 2021.

Mayor

ATTEST:

City Clerk

I, hereby certify that the foregoing Resolution No. _____ was passed and adopted at a regular meeting of said City Council on the []th day of _____ 2021, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this []th day of _____ 2021.

City Clerk

_____, 2021

State Water Resources Control Board
Division of Financial Assistance
Attn: Anabel Ruiz
1001 I Street, 16th floor
Sacramento, CA 95814

Re: City of Corcoran (“City”) – Water Meter Installation Project – Project No. 161004-001C (“Project”) – Agreement No. _____ (“Agreement”)

Ladies and Gentlemen:

We have acted as Bond Counsel to the City in connection with the execution and delivery by the City of the Construction Installment Sale Agreement between the City and the California State Water Resources Control Board (the “Board”) pursuant to which the Board has agreed to make financing available to the City in connection with the Project described in Exhibit A of the Agreement. All capitalized terms used herein and not otherwise defined shall have the same meanings assigned to them in the Agreement.

As Bond Counsel we have examined copies certified to us as being true and complete copies of the proceedings of the City Council of the City in connection with the execution and delivery of the Agreement, including the City’s resolution authorizing the execution of the Agreement adopted on _____, 2021, the City’s reimbursement resolution related to the Project adopted on _____, 20____, and the City’s tax questionnaire dated _____, 2021. We have also examined such other documents, opinions and instruments as we have deemed necessary in order to render the opinions expressed herein, including the Agreement and documents related to the Material Obligation (as defined in the Agreement). Our services as Bond Counsel were limited to an examination of the Material Obligation and to rendering the opinions set forth herein. In such examination, we have assumed the genuineness of all signatures on original documents and the conformity to the original documents of all copies submitted to us. We have also assumed the due authorization, execution and delivery of all documents which we have examined where due authorization, execution and delivery are a prerequisite to the effectiveness thereof. As to the various questions of fact material to our opinion, we have relied upon statements or certificates of officers and representatives of the City, public officials and others.

For purposes of this opinion we have assumed that no actual transfer of real property related to the Project is taking place as a result of entering into the Agreement.

On the basis of the foregoing examination and assumptions and in reliance thereon and on all such other matters of fact as we deemed relevant under the circumstances, and upon consideration of

KUTAKROCK

State Water Resources Control Board

_____, 2021

Page 2

the applicable laws, we are of the opinion that the execution and delivery of the Agreement and the consummation of the transactions therein will not conflict with or constitute a breach of or default (with due notice or the passage of time or both) under any bond, debenture, note or other evidence of indebtedness, or any material contract, agreement or lease to which the City is a party or by which it or its properties are otherwise subject or bound. The Agreement has been duly authorized, executed, and delivered, and assuming due authorization, execution and delivery of the Agreement by the Board, constitutes a legal, valid and binding obligation of the City enforceable against the City in accordance with its terms.

We express no opinion as to any Federal tax consequences of the receipt of the portion of each Payment designated as and comprising interest with respect to, or the ownership or disposition of the Agreement or the Payments.

The opinions expressed herein are qualified to the extent that enforcement of the agreements referred to in such paragraphs may be limited by bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles relating to or limiting creditors' rights generally. We express no opinion as to the availability of equitable remedies and advise you that a California court may not strictly enforce certain covenants if it concludes that enforcement would be unreasonable under the circumstances. Furthermore, we express no opinion with respect to any indemnification, contribution or choice of law provisions contained in these agreements. No opinion is expressed herein as to the accuracy, completeness or sufficiency of any financial information provided to the Board.

This opinion is furnished by us solely for your benefit and solely with respect to the Board entering in to the transaction represented by the Payments, upon the understanding, as we have advised you, and as you have agreed, that we are not hereby assuming any professional responsibility to any other person whatsoever. Our opinion herein is not to be used, circulated, quoted or otherwise referred to for any other purpose without our express written permission.

Respectfully submitted,

Michael L. Farley*
Joseph R. Beery
Michael L. Schulte**

FARLEY LAW FIRM
410 WEST CENTER AVENUE, SUITE 102
VISALIA, CALIFORNIA 93291
TELEPHONE (559) 738-5975
FACSIMILE (559) 732-2305

Kari Fike
Paralegal-Office Manager

Rosie M. Onizaki
Paralegal

Diane Farley
Paralegal

Writer's Email:
kfike@farleylawfirm.com

*Certified Specialist
Legal Malpractice Law
The State Bar of California
Board of Legal Specialization
Admitted in CA and TX
**Of Counsel

Date

State Water Resources Control Board
Division of Financial Assistance
Attn: Anabel Ruiz
1001 I St., 16th floor
Sacramento, CA 95814

Re: City of Corcoran ("City") Water Meter Installation Project –Project No. 161004-001C (“Project”)
Agreement No. [XXXXXXXXXXXXXXXXX] (“Agreement”)

Ladies and Gentlemen:

This firm serves as City Attorney to the City of Corcoran in connection with the Project. This opinion is delivered to the State Water Resources Control Board (“State Water Board”) at the request of the City. In connection therewith, I have examined the laws pertaining to the City, originals of the Agreement, between the City and the State Water Board (“Agreement”), the City's authorizing resolution [xxxxxx] adopted on March 9, 2021, the City's reimbursement Resolution 2963 adopted on March 12, 2019, the City's rate-setting resolution 2866 adopted on September 27, 2016 (collectively, “the Resolutions”), the City's debt management policy, documents related to each of the Material Obligations as set forth in the Agreement, and such other documents, legal opinions, instruments and records, and have made such investigation of law, as I have considered necessary or appropriate for the purpose of this opinion.

Based on the foregoing, it is my opinion that:

- a. The City, a general law city of the State of California duly organized, validly existing under the laws of the State of California pursuant to the California Constitution, Article XI, Section 7, has the requisite legal right, power, and authority to execute and deliver the Agreement and carry out and consummate all transactions contemplated therein.
- b. The Resolutions have been duly adopted at meetings of the City which were called and held pursuant to law with all public notice required by law and at which a quorum was present and acting when the Resolutions were adopted. The Resolutions are in full force and effect and have not been amended, modified, supplemented, or rescinded, nor has the rate-setting resolution been challenged or the rates become subject of a referendum or initiative or other similar process.
- c. To the best of my knowledge and based upon a reasonable investigation, all proceedings required by law or under the ordinances or bylaws of the City to be taken by the City in connection with the authorization of the Agreement and the transactions contemplated by and related thereto, and all such approvals, authorizations, consents or other orders of or filings or

registrations with such public boards or bodies, if any, as may be legally required to be obtained by the City prior to the date hereof with respect to all or any of such matters have been taken or obtained and are in full force and effect, except that no opinion is expressed as to any approvals, obligations or proceedings which may be required under any federal securities laws or state blue sky or securities laws.

- d. To the best of my knowledge and based upon a reasonable investigation, the execution and delivery of the Agreement and the consummation of the transactions therein will not conflict with or constitute a breach of or default (with due notice or the passage of time or both) under (i) the statutes creating the City or any amendments thereto, (ii) the ordinances or by laws of the City, (iii) any bond, debenture, note or other evidence of indebtedness, or any material contract, agreement or lease to which the City is a party or by which it or its properties are otherwise subject or bound or (iv) any applicable law or administrative regulation or any applicable court or administrative decree or order.
- e. To the best of my knowledge and based upon a reasonable investigation, the City has sufficient property rights in the Project property for the purposes contemplated in the Agreement and has complied with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601) with respect to any property acquired for the purposes of the Project. Project property rights extend/s in perpetuity/until [date].
- f. To the best of my knowledge and based upon a reasonable investigation, there is no action, suit, proceeding, inquiry or investigation before or by any court of federal, state, municipal or other governmental authority pending or threatened against or affecting the City's System, as defined in the Agreement, or the assets, properties or operations of the City relating to its System which, if determined adversely to the City or its interests would result in any material change in the assets or financial condition of the City, the City's System or the financial condition thereof, and the City is not in default with respect to any order or decree of any court or any order, regulation, or demand of any federal, state, municipal, or other governmental agency which default might have consequences that would materially and adversely affect the financial condition of the City or its System.
- g. No facts have come to my attention which lead me to believe that the City's authorized representative has made any untrue statement of a material fact or omitted or omits to state a material fact or has made misleading statements in the Agreement.
- h. The Agreement has been duly authorized, executed, and delivered, and assuming due authorization, execution and delivery of the Agreement by the State Water Board, constitutes legal, valid, and binding obligation of the City enforceable against the City in accordance with its terms, subject to the laws relating to bankruptcy, insolvency, reorganization, or creditors' rights generally and to the application of equitable principles, if equitable remedies are sought.

Sincerely,

FARLEY LAW FIRM

Michael L. Farley
City Attorney

City of
CORCORAN

Public Works Department

FOUNDED 1914

**STAFF REPORT
ITEM #: 7-B**

MEMO

TO: Corcoran City Council

FROM: Joseph Faulkner, Public Works Director

DATE: March 9, 2021

MEETING DATE: March 9, 2021

SUBJECT: Community Development Block Grant (CDBG)-2020 Wastewater Treatment Plant Modifications Project

Recommendation:

Approve Resolution No. 3079

Discussion:

On February 25, 2021, bids closed for the 2020 Wastewater Treatment Plant Modifications project. After review, it was found that the project would be \$400,000.00 over the City's award amount of \$2,131,000.00. The Department of Housing and Community Development allows the use of CDBG program income (PI), through resolution, to help fund the remanding balance of the project. The City currently has \$1,800,000.00 in PI.

Budget Impact:

No budget Impact.

Attachment:

Resolution 3079

RESOLUTION NO. 3079

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2020-2021 FUNDING YEAR OF THE STATE CDBG PROGRAM

BE IT RESOLVED by the City Council of the City of City of Corcoran as follows:

SECTION 1:

The City Council has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of \$2,531,000.00 for the following CDBG activities, pursuant to the January 2021 CDBG NOFA:

List activities and amounts

Public Improvement Project - Water Line Replacement \$ 2,531,000.00

SECTION 2:

The City/County hereby approves the use of Program Income in an amount not to exceed \$400,000 for the CDBG activities described in Section 1.

SECTION 3:

The City acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

SECTION 4:

The City hereby authorizes and directs the Public Works Director, or designee*, to execute and deliver all applications and act on the City's behalf in all matters pertaining to all such applications.

SECTION 5:

If an application is approved, the Public Works Director, or designee*, is authorized to enter into, execute and deliver the grant agreement (*i.e.*, Standard Agreement) and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

SECTION 6:

If an application is approved, the Public Works Director, or designee, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

PASSED AND ADOPTED at a regular meeting of the **City Council** of the City of Corcoran held on March 9, 2021 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Patricia Nolen, Mayor
City Council

STATE OF CALIFORNIA

City/County of Kings

I, Marlene Spain, City Clerk of the City of Corcoran, 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 9th day of March, 2021.

Marlene Spain, City Clerk of the City of Corcoran,
State of California

By: _____
Marlene Spain, City Clerk

City of

CORCORAN

FOUNDED 1914

A MUNICIPAL CORPORATION

MATTERS FOR MAYOR AND COUNCIL

ITEM #: 8

MEMORANDUM

MEETING DATE: March 9, 2021
TO: Corcoran City Council
FROM: Kindon Meik, City Manager
SUBJECT: Matters for Mayor and Council

UPCOMING EVENTS / MEETINGS

- March 23, 2021 (Tuesday) City Council Meeting – 5:30 PM
- April 13, 2021 (Tuesday) City Council Meeting – 5:30 PM
- April 27, 2021 (Tuesday) City Council Meeting – 5:30 PM
- May 11, 2021 (Tuesday) City Council Meeting – 5:30 PM

- A. City Manager's Report:
- B. Council Comments – *This is the time for council members to comment on matters of interest.*
1. Staff Referral Items
- C. Committee Reports
1. Kings Waste and Recycling Agency (KWRA)
 2. Kings County Association of Governments (KCAG)
 3. Kings Community Action Organization

City Offices



**COUNCIL REQUESTS OR REFERRAL ITEMS
PENDING FURTHER ACTION or RESOLUTION BY STAFF**

DATE Sent to Council/ Request made	REQUEST	STATUS	DEPARTMENT RESPONSIBLE Dept/Division
01/20/21 09/06/20	Staff has been in contact with several members of the Corcoran Cemetery District Board. Effort is being made to coordinate a time for the requested meeting. Council requested informal meeting with two members of the Corcoran Cemetery District Board.	In progress	City Manager
06/13/20	Council directed Staff to begin preparing a public nuisance ordinance.	In progress	Community Development/Police Department
03/12/19	Council requested that Staff prepare ordinance specifically prohibiting smoking in public parks. It was recommended that the City also consider an ordinance prohibiting dogs in public parks.	In progress	Community Development