



# **AGENDA**

## **CITY OF ORANGE COVE**

**WEDNESDAY, DECEMBER 10, 2014 - 6:30 P.M.**  
**Orange Cove Community Center**  
**1705 Anchor Avenue, Orange Cove, California 93646**

**Gabriel Jimenez, Mayor**

**Victor P. Lopez, Mayor Pro Tem**  
**Bertha Del Bosque, Council Member**

**Diana Guerra Silva, Council Member**  
**Ralph Pardo, Council Member**

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

1. Roll Call
2. Invocation
3. Flag Salute

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

### **C. Public Forum**

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

**D. Consent Calendar**

(Items listed on the Consent calendar are considered routine in nature and will be enacted with one vote. There will be no separate discussion for these items unless requested by a member of the public or member of the Council, in which case, such items will be removed for separate action.)

1. City Warrants (036264-036593)
2. City Council Minutes of October 22, 2014

**E. Administration**

**City Clerk**

1. **SUBJECT:** Consideration and Discussion regarding the Certification of the Fresno County Clerk Election Results of the Canvass of the November 4, 2014 Consolidated General Election and Recognition of Outgoing Councilmembers, Installation of Newly Elected Councilmembers; and Selection of Mayor Pro Tem

**Recommendations:**

- A. Council to approve Resolution No. 2014-49 Reciting the Fact of the General Municipal Election including the Orange Cove Police and Fire Special Tax and Other Matters as Required by Law.
- B. Presentation by Mayor Pro Tem Victor P. Lopez recognizing Gabriel Jimenez, Bertha Del Bosque and Ralph Pardo
- C. City Clerk to Give Oaths of Office and present Certificates of Election to Victor P. Lopez, Minerva Pineda and Gilbert Garcia
- D. Discussion and Determination on Whether to Fill Council Vacancy by Appointment or Special Election (2) Direction to Staff Regarding Special Election or (3) Proceed to Fill Vacancy by Appointment and give the Oath of Office to appointee
- E. Council to consider selection of Mayor Pro Tem

**BRIEF ADMISSION**

- F. **RECONVENE CITY COUNCIL MEETING:**

**City Manager:**

2. **SUBJECT:** Consideration and Discussion authorizing banks to honor checks and warrants when bearing certain signatures of city officials to execute checks and warrants on bank accounts and transfer of funds between City accounts

**Recommendation:** Council to consider appointing two (2) members of Council to execute checks and warrants on bank accounts and transfer of funds between City accounts

3. **SUBJECT:** Consideration and Discussion rescheduling the City Council Meeting scheduled on December 24, 2014

**Recommendation:** Council to reschedule the regular City Council Meeting of December 24, 2014 due to the Christmas Holidays

**G. City Manager's Report**

**H. City Attorney's Report**

**I. City Council Communications**

**J. Adjournment**

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

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

**STATEMENT ON RULES OF DECORUM AND ENFORCEMENT**

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

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

### **GENERAL RULES OF DECORUM**

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

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the Mayor to speak.
4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The Mayor shall then ask Councilmembers if they have comments or questions.
5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

### **ENFORCEMENT OF DECORUM RULES**

(Resolution No. 2012-16)

While the City Council is in session, all persons must preserve order and decorum. A person who addresses the City council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous

behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.

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

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