



AGENDA

Victor P. Lopez, Mayor

Diana Guerra Silva, Mayor Pro Tem
Roy Rodriguez, Council Member

Gilbert Garcia, Council Member
Josie Cervantes, Council Member

WEDNESDAY, October 24, 2018 - 6:30 P.M.
Orange Cove Council Chambers
633 6th Street, Orange Cove, California 93646

A. Call to Order/Welcome

Roll Call
Invocation
Flag Salute

B. Confirmation of Agenda

C. Presentations

1. Presentation of Certificate of Recognition to Airean J. Raguindin

D. Consent Calendar

2. Minutes of the October 10, 2018 regular City Council meeting.

E. Administration

Interim City Manager:

3. **SUBJECT:** Consideration and necessary action on Resolution No. 2018-39 approving Amendment No. 01 to the Department of Education contract for Target 8 funding for child care services.

Recommendation: Approve Resolution No. 2018-39, A Resolution of the City Council of the City of Orange Cove authorizing execution of Amendment 01 contract documents with the Department of Education of the State of California for the purpose of providing child care and development services in fiscal year 2018-2019.

4. **SUBJECT:** Consideration and necessary action on temporary loan to Target 8 Child Care Services.

Recommendation: Approve Resolution No. 2018-40, A Resolution of the City Council of the City of Orange Cove ratifying temporary loan to Target 8 Child Care Services.

5. **SUBJECT:** Consideration and necessary action on invoice register.

Recommendation: Approve invoice register dated October 18, 2018.

6. **SUBJECT:** Update regarding 2018 City Christmas Tree

Recommendation: Report only, no action necessary

7. **SUBJECT:** Discussion regarding 2nd Council meeting in November

Recommendation: Council to consider cancelling November 28, 2018 Council meeting due to Thanksgiving holiday.

F. Public Forum

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

G. City Manager's Report

H. City Attorney's Report

I. City Council Communications

J. CLOSED SESSION

A closed session is needed to discuss the following matter(s):

1. Labor Negotiations - pursuant to Government Code Section 54957.6

Agency Negotiator: Rudy Hernandez, Interim City Manager
Employee Organization(s): International Union of Operating Engineers, Stationary Engineers, Local 39

2. Conference with Legal Counsel – Anticipated Litigation (one case)

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

- K. **Reconvene City Council Meeting**
 (Report out of closed session)

- L. **Adjournment**

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

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

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

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

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

GENERAL RULES OF DECORUM

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

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

ENFORCEMENT OF DECORUM RULES

(Resolution No. 2012-16)

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

The Mayor or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in

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

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