



AGENDA SPECIAL MEETING

Victor P. Lopez, Mayor

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

**Gilbert Garcia, Council Member
Josie Cervantes, Council Member**

**THURSDAY, December 20, 2018 - 6:00 P.M.
Orange Cove Community Center
1705 Anchor Avenue, Orange Cove, California 93646**

- A. Call to Order/Welcome**
 - Roll Call
 - Invocation
 - Flag Salute
- B. Confirmation of Agenda**
- C. Administration**

City Clerk

- 1. SUBJECT:** Consideration and Discussion regarding the Certification of the Fresno County Clerk Election Results of the Canvass of the November 6, 2018 Consolidated General Election and Recognition of Outgoing Councilmembers, Installation of Newly Elected Councilmembers

Recommendations:

- A.** Council to approve Resolution No. 2018-51 Reciting the Fact of the General Municipal Election
- B.** Presentation by Mayor Victor P. Lopez recognizing Gilbert Garcia
- C.** City Clerk to Give Oaths of Office and present Certificates of Election to Victor P. Lopez, Esperanza Rodriguez and Roy Rodriguez

D. 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.

E. 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.



(Incorporated January 20, 1948)

June V. Bracamontes, City Clerk
Orange Cove City Hall
633 6th Street, Orange Cove, California 93646
(559)626-4488 ext. 214

DATE: DECEMBER 20, 2018
TO: MAYOR AND CITY COUNCIL
FROM: JUNE V. BRACAMONTES, CITY CLERK 
RE: RESULTS OF THE NOVEMBER 6, 2018 ELECTION
RESOLUTION NO. 2018-51

BACKGROUND:

A Consolidated General Municipal Election was duly called and held in the City of Orange Cove on November 6, 2018. The Certification of the Fresno County Election Results of the Canvass of the November 6, 2018 Consolidated General Election and Recognition of outgoing Councilmembers, and Installation of Newly Elected Councilmember will take place on December 20, 2018.

RECOMMENDATION:

Mayor and Council to approved Resolution No. 2018-51 Reciting the fact of the General Municipal Election.

Thank you.

RESOLUTION NO. 2018-51
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE
DECLARING THE RESULTS OF THE NOVEMBER 6, 2018 ELECTION
AS REQUIRED BY LAW

WHEREAS, a consolidated General Municipal Election was duly called and held in the City on November 6, 2018; and

WHEREAS, under Section 10263 of the Elections Code, upon the completion of the canvass, and prior to the installation of officers, the City Council is required to adopt a resolution reciting the fact that the election was held and declaring the results of the election; and

WHEREAS, as required by Section 10263, the City desires to declare the results of the November 6, 2018 Municipal Election.

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

SECTION 1. A General Municipal Election was duly called and regularly held on November 6, 2018, and was conducted in accordance with all applicable laws. Notice of the election was given in time, form, and manner provided by law, that voting precincts were properly established; election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and said declared in time, form, and matter as required by the provisions of the Election Code of the State of California, for the holding of elections in general law cities.

SECTION 2. The Fresno County Clerk/Registrar of Voters canvassed the returns of the November 6, 2018, election and the Elections Official has certified the results to the City Council. A copy of the certified results is attached as Attachment "A" and incorporated herein by reference as if fully set forth.

SECTION 3. The whole number of votes (ballots) cast in the precincts except absent voter ballots and provisional ballots was 470. That the whole number of Vote by Mail voter ballots cast in the City was 825, and making a total of 1295 ballots cast in the City.

SECTION 4. The following persons appeared on the ballot for the Full Term Mayor and received the respective votes noted:

Victor P. Lopez	<u>649</u> Votes
James Hamilton	<u>180</u> Votes
Gilbert Garcia	<u>417</u> Votes

SECTION 5. The following persons appeared on the ballot for the Full Term City Council and received the respective votes noted:

Roy Rodriguez	<u>669</u> Votes
Esperanza Rodriguez	<u>835</u> Votes

SECTION 6. The number of votes given at each precinct, the number of votes and for each of the individuals' names above for their respective office, are listed in Exhibit A, attached hereto and incorporated by reference.

SECTION 7. The City Council does declare and determine that:

- A. Victor P. Lopez was elected as Mayor of the City for the full term of four (4) years.
- B. Esperanza Rodriguez was elected as a member of the City Council for the full term of four (4) years.
- C. Roy Rodriguez was elected as a member of the City Council for the full term of four (4) years.

SECTION 8. The City Clerk shall enter on the records of the City Council of the City, a copy of this resolution and Attachment A showing: (1) the whole number of votes cast in the City; (2) the names of the persons voted for; (3) for what office each person was voted for; (4) the number of votes given at each precinct and (5) the total number of votes given to each person, in accordance with the provisions of Elections Code Section 10264.

SECTION 9. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; shall cause to be administered to each person elected the Oath of Office prescribed in the Constitution of the State of California, and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted to the respective office to which he/she has been elected.

CERTIFICATION

The foregoing Resolution was considered by the City Council to the City of Orange Cove at a regular meeting of said Council held on the 20th day of December, 2018, and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

June V. Bracamontes, City Clerk

Victor P. Lopez, Mayor


BRANDI L. ORTH
County Clerk/Registrar of Voters

Statement of Votes Cast
Statewide General Election

Date:12/06/18
Time:14:10:49
Page:1 of 3

SOVC For 616 0 City Of Orange Cove, All Counters, City of Orange Cove

	TURN OUT		
	Reg. Voters	Cards Cast	% Turnout
Jurisdiction Wide			
0000207			
Polling	1428	233	16.32%
Vote By Mail	1428	424	29.69%
Total	1428	657	46.01%
0000208			
Polling	1435	237	16.52%
Vote By Mail	1435	401	27.94%
Total	1435	638	44.46%
Total			
Polling	2863	470	16.42%
Vote By Mail	2863	825	28.82%
Total	2863	1295	45.23%

Statement of Votes Cast
Statewide General Election
SOVC For 616 0 City Of Orange Cove, All Counters, City of Orange Cove

Date:12/06/18
Time:14:10:49
Page:2 of 3

ORANGE COVE MAYOR										
	Reg. Voters	Times Counted	Total Votes	VICTOR P. LOPEZ		JAMES LEE HAMILTON		GILBERT GARCIA		Write-In Votes
Jurisdiction Wide										
0000207										
Polling	1428	233	223	103	46.19%	31	13.90%	89	39.91%	0 0.00%
Vote By Mail	1428	424	417	219	52.52%	71	17.03%	127	30.46%	0 0.00%
Total	1428	657	640	322	50.31%	102	15.94%	216	33.75%	0 0.00%
0000208										
Polling	1435	237	220	104	47.27%	28	12.73%	87	39.55%	1 0.45%
Vote By Mail	1435	401	389	223	57.33%	50	12.85%	114	29.31%	2 0.51%
Total	1435	638	609	327	53.69%	78	12.81%	201	33.00%	3 0.49%
Total										
Polling	2863	470	443	207	46.73%	59	13.32%	176	39.73%	1 0.23%
Vote By Mail	2863	825	806	442	54.84%	121	15.01%	241	29.90%	2 0.25%
Total	2863	1295	1249	649	51.96%	180	14.41%	417	33.39%	3 0.24%

Statement of Votes Cast
Statewide General Election

Date:12/06/18
Time:14:10:49
Page:3 of 3

SOVC For 616 0 City Of Orange Cove, All Counters, City of Orange Cove

ORANGE COVE CITY COUNCIL									
	Reg. Voters	Times Counted	Total Votes	ROY RODRIGUEZ		ESPERANZA RODRIGUEZ		Write-In Votes	
Jurisdiction Wide									
0000207									
Polling	1428	233	246	102	41.46%	143	58.13%	1	0.41%
Vote By Mail	1428	424	520	232	44.62%	275	52.88%	13	2.50%
Total	1428	657	766	334	43.60%	418	54.57%	14	1.83%
0000208									
Polling	1435	237	250	95	38.00%	142	56.80%	13	5.20%
Vote By Mail	1435	401	528	240	45.45%	275	52.08%	13	2.46%
Total	1435	638	778	335	43.06%	417	53.60%	26	3.34%
Total									
Polling	2863	470	496	197	39.72%	285	57.46%	14	2.82%
Vote By Mail	2863	825	1048	472	45.04%	550	52.48%	26	2.48%
Total	2863	1295	1544	669	43.33%	835	54.08%	40	2.59%

Certificate of Election

This is to certify that

VICTOR P. LOPEZ

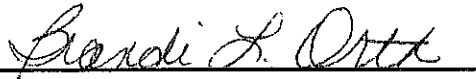
was elected to the office of

Orange Cove Mayor

of the County of Fresno,
State of California, at an election duly held
therein on

November 6, 2018

In Witness Whereof, I have hereunto set
my hand and affixed my official seal this 4th
day of December, 2018



Brandi L. Orth
County Clerk/Registrar of Voters



Certificate of Election

This is to certify that

ESPERANZA "HOPE" RODRIGUEZ

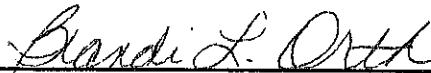
was elected to the office of

*Orange Cove City Council
Member, City Council*

of the County of Fresno,
State of California, at an election duly held
therein on

November 6, 2018

In Witness Whereof, I have hereunto set
my hand and affixed my official seal this 4th
day of December, 2018



Brandi L. Orth
County Clerk/Registrar of Voters



Certificate of Election

This is to certify that

ROY RODRIGUEZ

was elected to the office of

*Orange Cove City Council
Member, City Council*

of the County of Fresno,
State of California, at an election duly held
therein on

November 6, 2018

In Witness Whereof, I have hereunto set
my hand and affixed my official seal this 4th
day of December, 2018



Brandi L. Orth
County Clerk/Registrar of Voters

