

**IMPORTANT NOTICE REGARDING
CITY OF ORANGE COVE PUBLIC MEETINGS
SPECIAL COUNCIL MEETING
MONDAY AUGUST 17, 2020 – 6:30 P.M.**

Based upon recommendations from the CDC regarding social distancing relative to COVID-19 (coronavirus) and in accordance with the applicable provisions of Executive Orders N-25-20 and N-29-20 issued by Governor Newsom ("EO"), all public meetings will be held via teleconference. The City will have available a free call-in conference call number for those who wish to listen and/or provide public comment during the public comment period of the agenda or on a specific agenda item.

Those wishing to join via call-in conference should call (US): (888) 204-5987 (Access Code: 8166599#). If you are intending to comment, we are asking you to please contact City Clerk June V. Bracamontes in advance of the meeting at jvb@cityoforangecove.com, or by calling 559-393-3931. We are asking those to pre-register so that we can keep the meeting orderly, given everyone will be non-visible. There will still be time to provide public comment should you not pre-register. We will be asking all those interested to please call in 5 minutes prior to the regular meeting start time and keep their telephones on "mute" unless speaking during the public comment portion of the agenda or speaking on a specific agenda item after the Mayor requests public comment on the specific agenda item. If you would like to comment, please say your name clearly for the record.

If you need any special assistance or have questions please contact City Clerk June V. Bracamontes at jvb@cityoforangecove.com, or by calling 559-393-3931.

For continual updates regarding COVID-19, visit the city's website at cityoforangecove.com.



AGENDA SPECIAL COUNCIL MEETING

Victor P. Lopez, Mayor

Diana Guerra Silva, Mayor Pro Tem

Esperanza Rodriguez, Council Member

Roy Rodriguez, Council Member

Josie Cervantes, Council Member

MONDAY, AUGUST 17, 2020 – 6:30 P.M

TELECONFERENCE

(CALL 888-204-5987 ACCESS CODE 8166599#)

A. Call to Order/Welcome
Roll Call

B. Administration

SUBJECT: Resolution providing for the Appointment to Office of City Council Members and eliminating the cost of holding an election

Recommendation: Council to approve Resolution No. 2020-27 of the Orange Cove providing for the Appointment to Office of the City Council Members and Eliminating the cost of holding an election

C. 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.

From: Lopez, Rachel R. <RALopez@fresnocountyca.gov>
Sent: Thursday, August 13, 2020 11:08 AM
To: June Bracamontes
Cc: Orth, Brandi; Barajas, Rosaura Y.
Subject: FW: November 3, 2020 Consolidated General Election

Importance: High

Dear City Clerk:

First, let us thank you for the outstanding job you did in handling the candidate filing documents for this election. Good job!!

*****There is an opportunity for your City to appoint an unchallenged candidate for your city seats, instead of having the race go on the ballot. Please review Election Code Section 10229 with your city attorney.

City of Orange Cove, City Council, vote for 2

The time period for the City to appoint these unchallenged candidates is very short. The City appointment must be completed by E-75 (August 20, 2020). It is critical for you to let us know asap whether your city will be pursuing this opportunity, because we are now moving into our next phase of the election set-up process and I need to know exactly what seats are going on the ballot.

Please let us know if your city will be appointing these candidates, and then please send us a copy of the executed city resolution that confirms the appointment.

Thanks so much -----

RESOLUTION NO. 2020-27

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ORANGE COVE PROVIDING FOR THE APPOINTMENT
TO OFFICE OF CITY COUNCIL MEMBERS**

WHEREAS, the Election Office of the County of Fresno has informed the City Clerk of the City of Orange Cove that as of the close of the nomination period on August 7, 2020, there are no more candidates for the offices of City Council Member than offices to be elected; and

WHEREAS, Section 10229 of the Elections Code of the State of California allows certain actions that can be taken in the alternative including, but not limited to, appointing to the office the persons who have been nominated for the respective offices; and

WHEREAS, such appointment will result in substantial savings by eliminating the cost of holding an election for the offices of Council Members for which only one person has been nominated for each such office.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED, AND ORDERED AS FOLLOWS:

Pursuant to Section 10229 of the Elections Code of the State of California, the following person(s) nominated for the office of City Council Member for the City of Orange Cove, State of California, be, and are hereby appointed to the office of City Council Member for the term commencing on the Tuesday following the General Election date of November 3, 2020. The nominated person(s) hereby appointed to fill the term commencing after the General Election date of November 3, 2020 are as follows:

1. Diana Guerra for City Council Member
2. Josie Cervantes for City Council Member

I, HEREBY CERTIFY that the foregoing appointment of Diana Guerra to City Council Member was passed and adopted by the City Council of the City of Orange Cove, California, at a special meeting thereof held on the 17th day of August, 2020, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

2. Josie Cervantes for City Council Member

I, HEREBY CERTIFY that the foregoing appointment of Josie Cervantes to City Council Member was passed and adopted by the City Council of the City of Orange Cove, California, at a special meeting thereof held on the 17th day of August, 2020, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

ATTEST:

JUNE BRACAMONTES
City Clerk