



**AGENDA
ORANGE COVE CITY COUNCIL
SPECIAL COUNCIL MEETING
Friday, October 20, 2023
3:00 PM**

City of Orange Cove Council Chambers
633 6th St.
Orange Cove, CA 93646

1. CALL TO ORDER/WELCOME

Roll call
Invocation
Flag Salute (Pledge of Allegiance)

2. CONFIRMATION OF AGENDA

3. CLOSED SESSION

A closed session is needed to discuss the following matter:

Conference with Real Property Negotiator

Property: APN Nos. 378-063-07 & 378-220-19
Agency Negotiator: Daniel T. Parra, City Manager
Negotiating Parties: City of Orange Cove & Bell Carter Partners (Tim Carter)
Under Negotiation: Price and Terms of Payment

4. REGULAR BUSINESS

- a. **SUBJECT**: Consideration and necessary action on donation real property from Bell Carter Partners to City of Orange Cove, APNs 378-063-07 and 378-220-19 in the City of Orange Cove.

RECOMMENDATION: Approve and accept donation of real property (APNs 378-063-07 and 378-220-19) in the City of Orange Cove from Bell Carter Partners and authorize the City Manager to sign Certificate of Acceptance and Grant Deed.

5. PUBLIC COMMENTS

Notice(s) to the Public: This is the opportunity for any member of the public to address the City Council on any item over which the Council has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the City Manager for review. Members of the public shall limit their remarks to three (3) minutes.

6. 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. 213. 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 the front counter at City Hall, 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.



CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

To: Orange Cove City Council
From: Megan Dodd, City Attorney
Subject: Finding of General Plan Consistency for the acceptance of property which are being donated to the City of Orange Cove by the current property owner.
Attachments: Certificate of Acceptance, Assessor's Map and Salient Facts

RECOMMENDATION:

Staff recommends that the City Council find that the acceptance of the property at APN 378-063-07 and 378-220-19 being donated to the City is consistent with the 2035 General Plan, adopted September 15, 2015, in accordance with Government Code Section 65402.

BACKGROUND:

The current property owner at APN 378-063-07 AND 378-220-19, has expressed a desire to donate the property to the City. The current use of the property is Central Commercial and its current zoning designation is C-3, Central Commercial and Shopping.

The City believes the building could be used for commercial use which is consistent with the General Plan, adopted September 15, 2015, in accordance with Government Code Section 65402.

FISCAL IMPACT:

None.

CONFLICT OF INTEREST:

None.

Prepared by: City Attorney _____

Approved by: Megan Dodd _____

REVIEW: City Manager: _____

Finance: _____

City Attorney: _____

TYPE OF ITEM:

COUNCIL ACTION: APPROVED DENIED NO ACTION

____ Consent
____ Info Item
X Action Item
____ Department Report
____ Redevelopment Agency

____ Public Hearing
____ Matter Initiated by a Council Member
____ Other
____ Continued to: _____

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY, that the interest in real property conveyed by that **Grant Deed** dated _____, 2023, from **BELL CARTER PARTNERS, Owner**, to the City of Orange Cove, a municipal corporation, was duly accepted by the City Council of the City of Orange Cove on _____, 2023, and by the same order of the City Council of the City of Orange Cove, the **City Manager of Orange Cove, DANIEL T. PARRA**, was authorized to execute this Certificate of Acceptance to be recorded with the Grant Deed.

CITY OF ORANGE COVE

By: _____

City Manager

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

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) SS

COUNTY OF FRESNO

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On _____, 2023, before me, _____, Notary Public, personally appeared Daniel T. Parra, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the persons, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

NOTARY PUBLIC

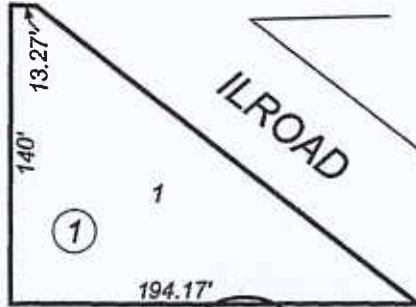
BLVD.

100'

ST.

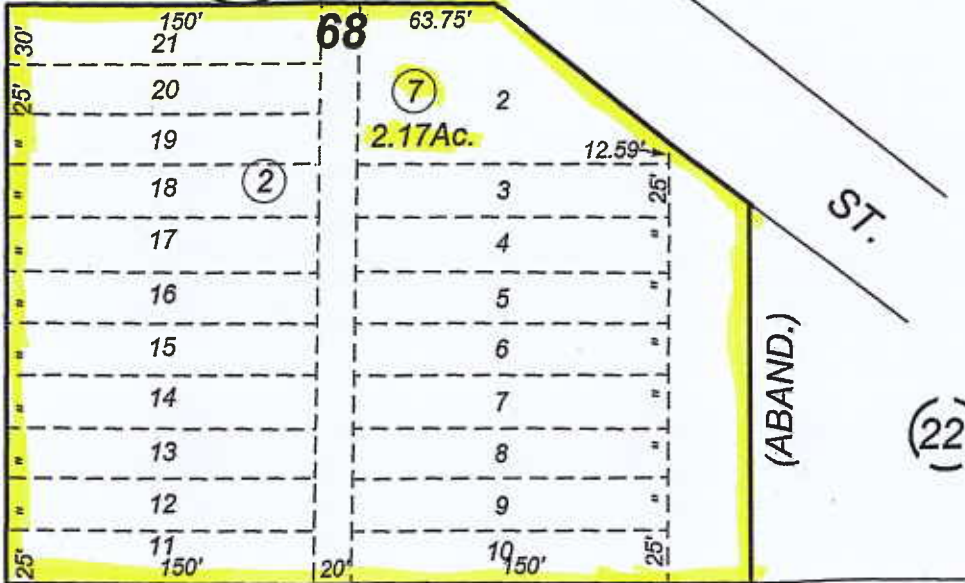
NINTH

80'



(23)

63



ST.

(ABAND.)

(22)

ST.

EIGHTH

ST.

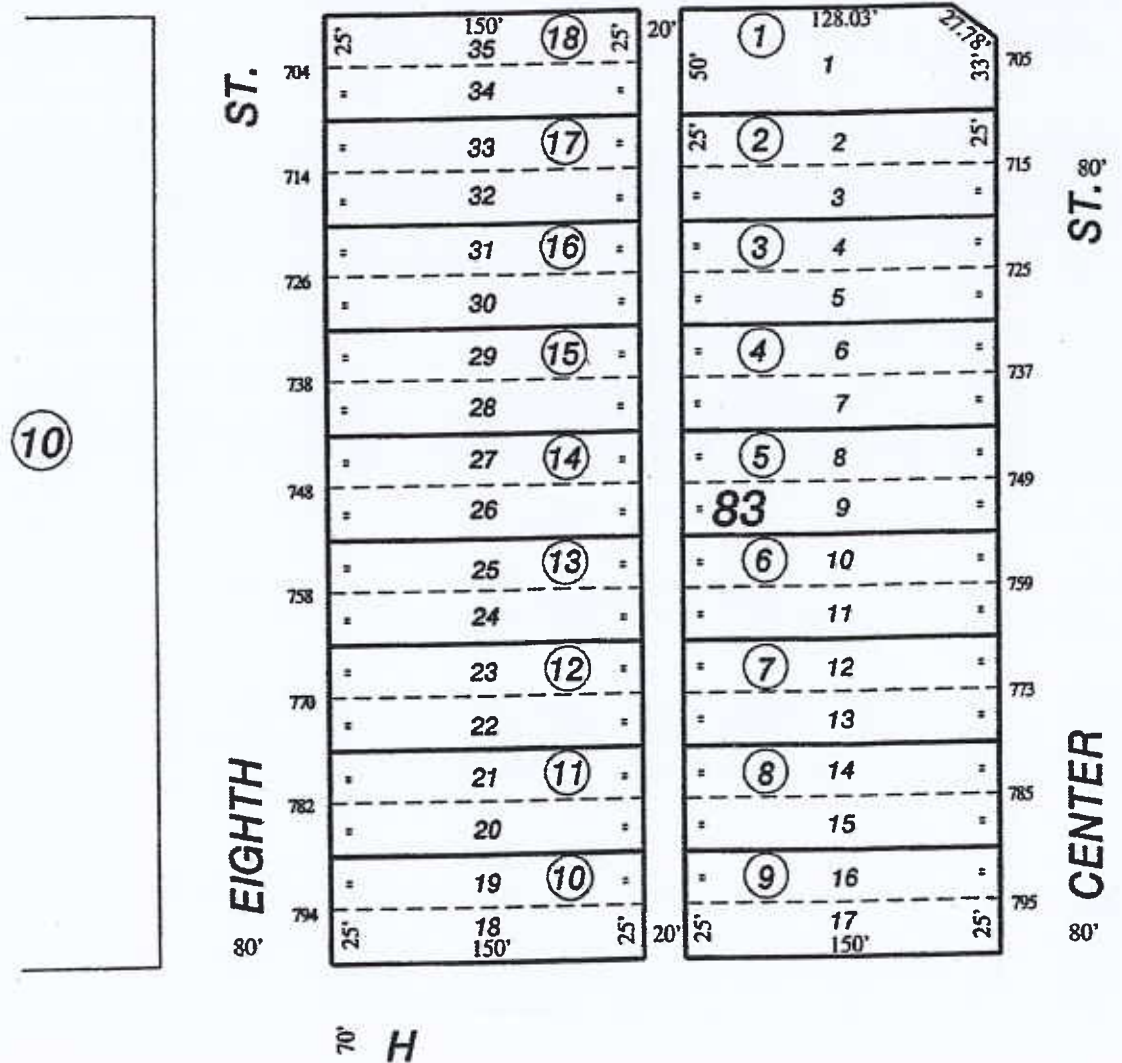
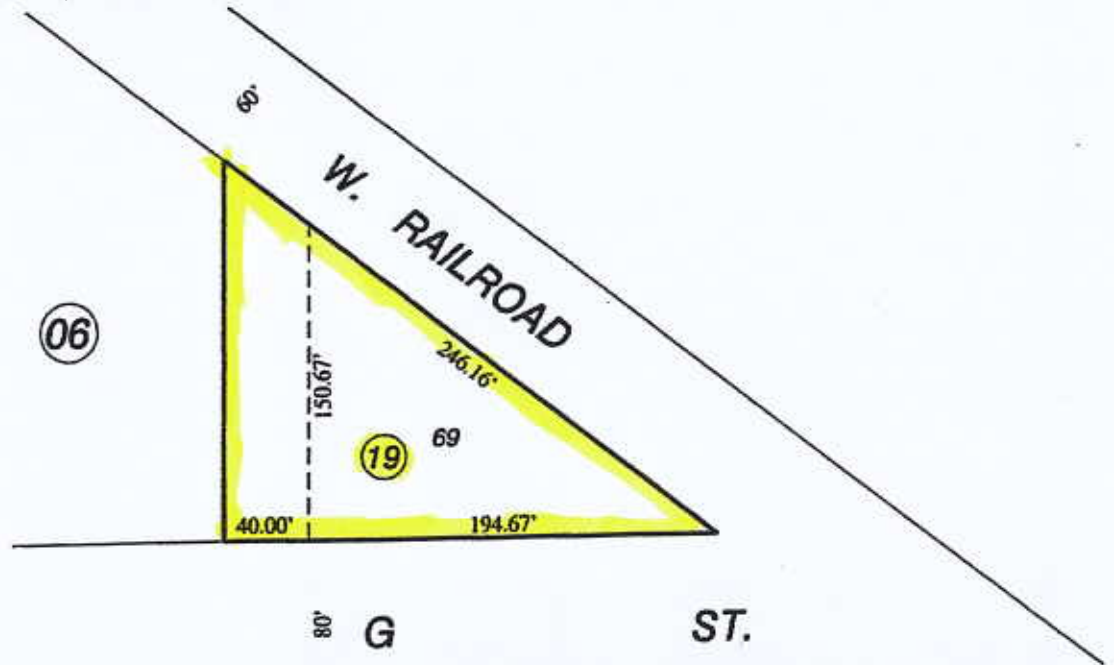
Assessor's Map Bk.378 - Pg.06
County of Fresno, Calif.

Note - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

SUBDIVIDED LAND IN PC

--- NOTE ---

This map is for Assessment purposes only.
It is not to be construed as portraying
legal ownership or divisions of land for
purposes of zoning or subdivision law.



SALIENT FACTS

| Assignment Elements | |
|---------------------------|---|
| Client | Bell Carter Partners Care of Tim Carter |
| Intended Use | For internal planning. |
| Other Intended Users | None |
| Observation Date | 9/5/2023 |
| Report Preparation Date | 10/11/2023 |
| Effective Date | 9/5/2023 |
| Report Type | Appraisal report (2-2A) |
| Interest Appraised | Fee Simple |
| Appraised Value | Market Value |
| Extraordinary Assumptions | None |
| Hypothetical Conditions | None |
| Property Summary | |
| APN(s) | 378-063-07 & 378-220-19; Fresno County |
| Address/Location | 630 9 th Street Orange Cove, CA 93646 |
| Site Size | 2.76 acres |
| Improvements | 2,700 square foot shop, asphalt paved yard, and chain link fence. |
| Flood Zone | FEMA flood zone X |
| Highest and Best Use | Commercial development |
| Valuation | |
| Under Contract | No |
| Market Value "As Is" | \$350,000 |