



**AGENDA**  
**ORANGE COVE CITY COUNCIL**  
**SPECIAL COUNCIL MEETING**  
**August 27, 2024**  
**3:30 PM**

City of Orange Cove Council Chambers  
633 6<sup>th</sup> St.  
Orange Cove, CA 93646

Join Zoom Meeting

<https://us06web.zoom.us/j/87899735796?pwd=RklkW0jGWc3U0Up2KDHvSkQQBPmwAS.1>

Meeting ID: 878 9973 5796

Passcode: 787551

**1. CALL TO ORDER/WELCOME**

Roll call

Invocation

Flag Salute (Pledge of Allegiance)

**2. CONFIRMATION OF AGENDA**

**3. REGULAR BUSINESS**

- 3.a. **SUBJECT:** Approval of Resolution No. 2024-25, Declaring  
APNs 378-063-07 and 378-220-19 Exempt Surplus Property

*Crouch*

**RECOMMENDATION:** Staff recommends that the Council approve  
Resolution No. 2024-25, declaring APNs 378-063-07 and 378-220-19  
Exempt Surplus Property

#### 4. 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 [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.



# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Megan Dodd, City Attorney  
**Subject:** Approval of Resolution No. 2024-25, Declaring APNs 378-063-07 and 378-220-19 Exempt Surplus Property  
**Attachments:** Resolution No. 2024-25

**RECOMMENDATION:**

Staff recommends that the Council approve Resolution No. 2024-25, declaring APNs 378-063-07 and 378-220-19 Exempt Surplus Property

**BACKGROUND:**

The City is required to comply with the Surplus Land Act before disposing of property. The City wishes to dispose of the above-stated property, and it is the City’s intent to transfer that property to the Fresno County Housing Authority. The Surplus Land Act contains an exemption in Government Code Section 54221(f)(1)(D) that allows the City to declare the property exempt surplus because it is transferring the property to another local agency for that agency’s use.

**FISCAL IMPACT:**

**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: \_\_\_\_\_

**RESOLUTION NO. 2024-25**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA, DECLARING PROPERTY TO BE EXEMPT SURPLUS PROPERTY**

**WHEREAS**, the City of Orange Cove (“City”) owns in fee one (2) parcels of real property (“Property”) located at APNs 378-063-07 and 378-220-19; and

**WHEREAS**, the Property is approximately 2.76 acres in size; and

**WHEREAS**, the Property’s legal description is attached hereto as Exhibit “A,” which is incorporated herein by reference; and

**WHEREAS**, for purposes of Government Code Section 54221(f)(2), the Property is not: (i) within a coastal zone; (ii) adjacent to a historical unit of the State Parks System; (iii) listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historical Places; or (iv) within the Lake Tahoe region as defined by Government Code Section 66905.5; and

**WHEREAS**, the City has no use for, and it is the City’s intent to dispose of, the Property; and

**WHEREAS**, the City intends to transfer the property to another local agency, Fresno County Housing Authority, for that agency’s use.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Orange Cove finds that, for purposes of Government Code Section 54221(f)(1)(D), the Property will be transferred to another local agency, the Fresno County Housing Authority, for that agency’s use; and

**BE IT FURTHER RESOLVED**, the City Council hereby declares the Property to be exempt surplus property for purposes of the Surplus Land Act (Government Code Section 54220, et seq.)

**THE FOREGOING RESOLUTION WAS APPROVED AND ADOPTED** by the City Council of the City of Orange Cove at a special meeting of the City Council held on August 27, 2024 by the following vote:

AYES: 0 COUNCIL MEMBERS:  
NOES: 0 COUNCIL MEMBERS:  
ABSTAIN: 0 COUNCIL MEMBERS:  
ABSENT: 0 COUNCIL MEMEBRS:

APPROVED:

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Diana Guerra-Silva  
Mayor

Attest:

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Cynthia Cisneros  
City Clerk