

**MINUTES - FINAL**

**City of Orange**

**City Council**

February 13, 2024

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The City Council of the City of Orange, California convened on Tuesday, February 13, 2024, at 6:00 p.m. in a Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

**6:00 PM REGULAR SESSION**

**1. OPENING/CALL TO ORDER**

Mayor Slater called the meeting to order at 6:03 p.m.

**1.1 INVOCATION**

Given by Sr. Mary Sweeney from Sisters of St. Joseph of Orange.

**1.2 PLEDGE OF ALLEGIANCE**

Led by Councilmember John Gyllenhammer.

**1.3 ROLL CALL**

**Present:** Barrios, Dumitru, Tavoularis, Bilodeau, Gyllenhammer, and Slater

**Absent:** Gutierrez

**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Orange High School Student Liaison Nancy Albeno provided Council with a brief update on school happenings.

Chapman University Leatherby Center for Entrepreneurship Presentation.

**2. PUBLIC COMMENTS**

Public Speakers:

Brenda Lebsack urged voters to vote no on OUSD Board Members recall.

Robert S. urged voters to vote no on OUSD Board Members recall.

Rosa Otero urged voters to vote no on OUSD Board Members recall.

Sonia Anderson urged voters to vote no on OUSD Board Members recall.

Louise Salomon urged voters to vote no on OUSD Board Members recall.

Stanley S. urged voters to vote no on OUSD Board Members recall.

Michele expressed concerns with 5G cell towers.

Written Public Comment

Janice Brownfield emailed about expected heat waves this summer and measures to keep most vulnerable safe.

**3. CONSENT CALENDAR**

All items on the Consent Calendar are considered routine and are enacted by one motion approving the recommended action listed on the Agenda. Any member of the City Council, staff, or the public may request an item be removed from the Consent Calendar for discussion or separate action. Unless otherwise specified in the request to remove an item from the Consent Calendar, all items removed shall be considered immediately following action on the remaining items on the Consent Calendar.

**3.1. Waive reading in full of all ordinances on the Agenda.**

ACTION: Approved.

**3.2. Confirmation of warrant registers dated January 4, 11, 18, and 25, 2024.**

ACTION: Approved as presented.

**3.3. Approval of minutes of the City of Orange City Council Regular Meetings held on January 9 and 23, 2024.**

ACTION: Approved minutes as presented.

**3.4. Monthly Treasurer’s Reports for October, November, and December 2023.**

Note: Council requested the next monthly Treasurer's Report be presented under Administrative Reports.

ACTION: Received and filed.

**3.5. Seventh Amendment to Agreement with Granicus LLC, a Minnesota Limited Liability Company, for one-year of subscription renewal.**

ACTION: Approved the Seventh Amendment to Master Subscription Agreement with Granicus, LLC for a one-year renewal of annual subscriptions in the amount of \$117,555.79; and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

**3.6. Appropriation of \$25,790.72 in Senior Mobility Program funds.**

ACTION: Authorized the appropriation of \$25,790.72 from the Traffic Improvement-Measure M2 unreserved fund balance to:

263.7041.51780.30151	Sr. Transportation 20-21	\$ 643.15
263.7041.51780.30175	Sr. Transportation 21-22	\$ 789.36
263.7041.51780.30191	Sr. Transportation 22-23	\$24,358.21

**3.7. Approval of plans and specifications for Annual Pavement Maintenance at Various Locations, Fiscal Year 2023-2024; authorization to advertise for bids; and finding of California Environmental Quality Act exemption.**

ACTION: 1) Approved the plans and specifications and authorize advertising for Bid No. 23-24 (SP-4261); 2) Found that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1(c) - Existing Facilities); and 3) Authorized the following budget transfer:

From: 263.5011.56330.30167, Measure M2 Katella Avenue Street Rehabilitation

\$123,594

To: 263.5011.56330.13120, Measure M2 Pavement Management Program \$123,594

**3.8. Rejection of all bids received for City of Orange Corporation Yard Renovation Project, Phase I; and authorization to re-advertise for bids.**

ACTION: Rejected all bids received for City of Orange Corporation Yard Renovation Project - Phase I, Bid No. 23-24.14; and directed staff to re-advertise for bids.

**3.9. Final Acceptance of Garage Door Replacement at the Corporation Yard and Fire Stations 3, 5, and 6; and authorization to file Notice of Completion.**

ACTION: Accepted Garage Door Replacement at the Corporation Yard and Fire Stations 3, 5, and 6 (Bid No. 22-23.31, SP-4249) as complete; and authorized staff to file a Notice of Completion with the County Recorder.

**3.10. Authorize the purchase of four 2024 Ford Explorers from the National Auto Fleet Group for the Orange Police and Public Works Departments using a Cooperative Purchasing Agreement.**

Written Public Comment

Shashwat Patel submitted an eComment in support of the purchase.

ACTION: Approved the purchase of four 2024 Ford Explorers from National Auto Fleet Group in the amount of \$157,166.

**3.11. Approval of amended Financial Reserve Policy. Resolution No. 11528.**

ACTION: Adopted Resolution No. 11528. A Resolution of the City Council of the City of Orange establishing a Financial Reserve Policy and Pension Funding Policy.

**3.12. Revision of City’s Employer-Employee Relations Rules and Regulations. Resolution No. 11529.**

ACTION: Adopted Resolution No. 11529. A Resolution of the City Council of the City of Orange rescinding Resolution Nos. 3611, 4115, and 4125 and updating Employer-Employee Relations Rules and Regulations in accordance with the requirements of Chapter 10, Division 4, Title 1 of the Government Code of the State of California.

**Approval of the Consent Calendar**

A motion was made by Councilmember Bilodeau, seconded by Mayor pro tem Barrios, to approve the Consent Calendar as presented. The motion carried by the following vote:

**Ayes:** Barrios, Dumitru, Tavoularis, Bilodeau, Gyllenhammer, and Slater  
**Noes:** None  
**Absent:** Gutierrez

**END OF CONSENT CALENDAR**

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**4. REPORTS FROM MAYOR SLATER**

None

## 5. REPORTS FROM COUNCILMEMBERS

Councilmember Dumitru requested staff explore an anti-graffiti bounty program, and a license plate recognition system to deter smash and grab thefts. Staff replied that the Police Department has a report regarding a license plate recognition system on an upcoming Council meeting agenda.

## 6. AB 1234 REPORTS

None

## 7. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS

### 7.1. Resignation of Carol Fox from the Design Review Committee.

A motion was made by Councilmember Dumitru, seconded by Councilmember Gyllenhammer, to accept the resignation of Committee Member Fox effective March 7, 2024; and direct the City Clerk to post a Notice of Vacancy no earlier than February 16, 2024, and no later than March 27, 2024, pursuant to the Maddy Act. The motion carried by the following vote:

**Ayes:** Barrios, Dumitru, Tavoularis, Bilodeau, Gyllenhammer, and Slater

**Noes:** None

**Absent:** Gutierrez

### 7.2. Appointments to the Santiago Creek Commission.

A motion was made by Councilmember Tavoularis, seconded by Councilmember Gyllenhammer, to appoint Pamela Galera, David Hillman, and Susan Tillou to a term ending June 30, 2027; and Addison Adams, Robert Baca, Michael Knight, and Brendon Moeller to a term ending June 30, 2028. The motion carried by the following vote:

**Ayes:** Barrios, Dumitru, Tavoularis, Bilodeau, Gyllenhammer, and Slater

**Noes:** None

**Absent:** Gutierrez

## 8. ADMINISTRATIVE REPORTS

### 8.1. Agreements between the City and Milan REI X, LLC to extend certain statutes of limitation to further evaluate non-residential uses for the “Brandman site” and the “Creekside Village site.”

Public Speaker:

Dru Whitefeather spoke in opposition of approval.

Written Public Comments

Alexander DeGood; Cox, Castle, & Nicholson representing Milan; submitted a letter in support.

Reggie Mundekis submitted an eComment in support of approval.

During discussion, Mayor pro tem Barrios indicated she could not support the approval of this item.

City Attorney Vigliotta informed Council there were a couple of typos in the agreements that will be corrected before they are executed.

A motion was made by Councilmember Bilodeau, seconded by Councilmember Dumitru, to:

1) Approve the amended Agreements with Milan REI X, LLC to extend statutes of limitation in order to further evaluate non-residential uses for the Brandman and Creekside Village sites, including, but not limited to, recreational and sport uses, educational institution uses, acquisition by the City or a third party, or other paths to keep these two sites open space.

2) Delegate authority to the City Manager, with the concurrence of the City Attorney, to execute or terminate one or both of the Agreements.

The motion carried by the following vote:

**Ayes:** Dumitru, Tavoularis, Bilodeau, Gyllenhammer, and Slater

**Noes:** Barrios

**Absent:** Gutierrez

With Council concurrence, an ad hoc committee was created with Mayor Slater, Councilmember Gyllenhammer, and Councilmember Gutierrez as members to explore non-residential uses for the two sites.

Councilmember Tavoularis left the dais at 6:58 p.m.

**8.2. Declare the property located at 515 Fletcher Avenue as Surplus Right-of-Way and authorize Property Exchange with Rexford Industrial Realty, L.P. Resolution No. 11526.**

Entered into the record: memo from staff requesting a continuance to a date uncertain.

A motion was made by Mayor pro tem Barrios, seconded by Councilmember Dumitru, to continue this item to a date uncertain. The motion carried by the following vote:

**Ayes:** Barrios, Dumitru, Bilodeau, Gyllenhammer, and Slater

**Noes:** None

**Absent:** Tavoularis, and Gutierrez

Councilmember Tavoularis returned to the dais at 7:00 p.m.

**9. REPORTS FROM CITY MANAGER**

**9.1. Discussion on Safe and Sane Fireworks.**

Written Public Comment

Reggie Mundekis submitted an eComment opposing the sale of safe and sane fireworks.

Council discussed the sale of safe and sane fireworks in surrounding cities and enforceability of the current ban on safe and sane fireworks in the City of Orange.

Staff was directed to return with information on repealing the ban on fireworks.

**9.2. Fiscal Year 2022-23 General Fund Year-End Budget Report.**

Budget Manager Michelle Kresan provided a staff report utilizing a PowerPoint presentation, and answered Council's questions regarding ARPA funds.

Report was received and filed.

**10. PUBLIC HEARINGS****10.1. Public Hearing to consider an appeal of Planning Commission approval of Conditional Use Permit No. 3210-23 for a new church and coffeehouse at 611 W. Chapman Avenue and finding of CEQA exemption.**

Mayor Slater opened the Public Hearing at 7:31 p.m.

Public Speakers:

Scott Bolt, appellant, spoke in support of approving the appeal.

Peter Shambrook, applicant, spoke in support of denying the appeal.

The following spoke in support of denying the appeal and in support of CedarHouse: Danny Kurimay, Ron Sallinger, Tori Kientz, Kylee Simonton, Janelle Sherod, Jeff Sherod, Jeff Stingley, Dane Shambrook, Ruth Stingley, Joel Whittington.

RECESS: The City Council recessed at 8:07 p.m. and reconvened at 8:24 p.m. with all Members present, except Councilmember Gutierrez who was absent.

Public Speakers (Continued):

The following did not speak but were in support of denying the appeal: Chris Key, Joel K., Abby Kurimay, Kate Kurimay, and Mark Maietta.

The following spoke in support of approving the appeal and in opposition of the project: James Chadwick, Tod Brewster, Ginger Comrad, Ana Palma, Pat Hetherington, and Karen Freeman.

Written Public Comments

Brian Tiqui submitted a letter in support of approving the appeal.

Danielle Pulliam submitted a letter in support of approving the appeal.

Andrea Brooks submitted an eComment in support of approving the appeal.

Mayor Slater closed the Public Hearing at 9:02 p.m.

During deliberation, Council discussed the conditions of approval being too specific, noise concerns, size of gatherings, and traffic.

Councilmember Bilodeau made a motion to deny the appeal and strike the second sentence from Resolution No. PC 20-23 Condition No. 15 "Any sound, including amplified and un-amplified sound or music, shall not be audible from the outside of the building."

Councilmember Dumitru requested to amend the motion to include removal of the specific hours of operation listed in the bullet points in Condition No. 16. Councilmember Bilodeau accepted the amendment. Councilmember Dumitru seconded the amended motion.

During further discussion, Council requested staff to explore adding this neighborhood to the permit parking program.

After further discussion, Mayor pro tem Barrios made a substitute motion to deny the appeal and adopt Resolution No. 11527 as presented. Motion failed due to lack of a second.

An amended motion was made by Councilmember Bilodeau, seconded by Councilmember Dumitru, to:

1) Deny the appeal and adopt amended Resolution No. 11527 with modifications to Resolution No. PC 20-23 Condition Nos. 15 and 16 by striking the second sentence in Condition No. 15 "Any sound, including amplified and un-amplified sound or music, shall not be audible from the outside of the building" and removing the specific hours of operation listed in the bullet points in Condition No. 16.

Resolution No. 11527. A Resolution of the City Council of the City of Orange denying Appeal No. 0564-23 and approving Conditional Use Permit No. 3210-23, a request by CedarHouse, a 501(C)(3) organization for operation of a church with classes, community enrichment activities and a coffeehouse at 611 West Chapman Avenue.

2) Find the project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1 - Existing Facilities).

The motion carried by the following vote:

**Ayes:** Dumitru, Tavoularis, Bilodeau, Gyllenhammer, and Slater

**Noes:** Barrios

**Absent:** Gutierrez

## 11. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:37 p.m.

The next Regular City Council meeting will be held on Tuesday, February 27, 2024, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m., if necessary.

/s/ Pamela Coleman

PAMELA COLEMAN  
CITY CLERK

/s/ Daniel R. Slater

DANIEL R. SLATER  
MAYOR