

MINUTES

City of Orange

City Council

May 09, 2023

The City Council of the City of Orange, California convened on Tuesday, May 9, 2023, at 5:00 p.m. in a Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

5:00 PM CLOSED SESSION

1. CALL TO ORDER

Mayor Slater called Closed Session to order at 5:01 p.m.

1.1 ROLL CALL

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

Absent: None

2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

None

3. RECESS TO CLOSED SESSION

The City Council recessed to Closed Session at 5:06 p.m. with all Members present to discuss the following:

a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Mayor pro tem Barrios recused herself from Item 3(a) due to a potential conflict with a nearby property interest and left Closed Session at 5:06 p.m.

Pursuant to Government Code Section 54956.8

Property Location: APN 039-251-008, 039-251-020, 039-251-031, 039-251-010, 039-252-005, 039-252-011, 039-252-010

Agency Negotiator: Aaron Schulze, Economic Development Manager

Negotiating Parties: Wells Fargo & Company

Under Negotiation: Price and terms of payment

Mayor pro tem returned to Closed Session at 5:20 p.m.

b. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Negotiator: Tom Kisela, City Manager

Employee Organizations: Orange City Firefighters, Orange Fire Management Association, City of Orange Police Association, City of Orange Police Management Association

RECESS TO REGULAR MEETING: At 6:02 p.m., the City Council recessed from Closed Session to a Regular Meeting in the Council Chamber.

The City Council reconvened in Closed Session at 12:08 a.m. with all Members present, except Councilmember Tavoularis who was absent.

4. CLOSED SESSION REPORT

None

5. ADJOURNMENT

Closed Session was adjourned at 12:26 a.m.

6:00 PM REGULAR SESSION**1. OPENING/CALL TO ORDER**

Mayor Slater called the meeting to order at 6:09 p.m.

1.1 INVOCATION

Given by Pastor Marco Salinas from Spirit & Truth Worship Center.

1.2 PLEDGE OF ALLEGIANCE

Led by Mayor Dan Slater.

1.3 ROLL CALL

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

Absent: None

1.4 PRESENTATIONS/ANNOUNCEMENTS

Memorial Adjournment in honor of Hannah MacDonald.

Chamber of Commerce May Parade Awards.

1.5 REPORT ON CLOSED SESSION ACTIONS

None

2. PUBLIC COMMENTS

Public Speakers

Greg Baker spoke in opposition of a proposed cemetery near Palmyra Avenue.

Caren Wolf spoke in opposition of a proposed cemetery near Palmyra Avenue and expressed concerns with lack of weed abatement on the vacant lot at the north end of S. Jennifer Lane.

Carole Walters spoke in opposition of an off ramp at Meats Ave. and the 55 freeway.

Jonathan Zimmerman expressed concerns with loud parties in his neighborhood.

Written Comment

Janice Brownfield emailed encouraging Council to adopt a climate and adaptation plan.

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 April 7, 13, 21 and 27, 2023.

ACTION: Approved.

3.3. Approval of minutes of the City of Orange City Council Regular Meeting held on April 11, 2023 and Adjourned Regular Meeting held on April 18, 2023.

ACTION: Approved minutes as presented.

3.4. First Amendment to Professional Services Agreement with Cornerstone Communications & Public Relations, Inc. for communications and public relations services.

Item 3.4 was removed from the Consent Calendar for separate consideration by Councilmembers Gyllenhammer and Bilodeau.

Mayor pro tem Barrios recused herself from this item due to a potential conflict with employment and left the dais at 6:49 p.m.

Due to the cost, Council discussed continuing the item until after budget adoption.

Mayor pro tem Barrios returned to the dais after the vote at 7:02 p.m.

ACTION: A motion was made by Councilmember Dumitru, seconded by Councilmember Bilodeau, to continue Item 3.4 to the July 11, 2023, Regular City Council meeting. The motion carried by the following vote:

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

Noes: None

Absent: None

Recused: Barrios

3.5. Attorney Services Agreement with Liebert Cassidy Whitmore to provide legal services related to active police disciplinary and investigative matters.

ACTION: Approved the Agreement with Liebert Cassidy Whitmore in the amount of \$160,000; and authorized the Mayor and City Clerk to execute on behalf of the City.

3.6. Claims for Damages.

ACTION: Denied the following claims and referred to City Attorney and Claims Adjuster:

1. Arnold Sanchez
2. Eugenia Hurtado
3. Mercury Insurance a/s/o Renee Vigo
4. Terrence Velasquez
5. James Rudloff
6. David G. Telles
7. H.L.E. (minor)

3.7. Authorize continued rental services for a mobile laundry facility with Mobile Concepts, Inc. dba U.S. Mobile Kitchens for the 517 W. Struck Transition Plan.

ACTION: Approved an increase of \$56,569 to a blanket purchase order with Mobile Concepts, Inc. dba U.S. Mobile Kitchens for core service facility rentals, for a total of \$163,958.

3.8. Request to temporarily close the city-owned surface parking lot and paseo adjacent to and south of the Old Towne West Parking Structure. Additionally suspend permit parking in all of permit parking Area "A" for a Retirement celebration.

ACTION: 1) Approved the temporary closure of the city-owned surface parking lot and paseo adjacent to and south of the Old Towne West Parking Structure, contingent upon a special event permit being approved by City staff; and 2) Approved suspension of permit parking in Area "A" between the hours of 2:00 PM and 7:00 PM on May 21, 2023.

3.9. Resolution No. 11453 denying Appeal No. 0562-23 and upholding Planning Commission approval of the Street Lights Mixed-Use Apartment Development, 840 The City Drive South, including adoption of Mitigated Negative Declaration No. 1875-21 and associated Mitigation Monitoring and Reporting Program.

ACTION: Adopted Resolution No. 11453. A Resolution of the City Council of the City of Orange denying Appeal No. 0562-23, and upholding the decision of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3138-21, Major Site Plan Review No. 1040-21, Design Review No. 5030-21, Administrative

Adjustment No. 0051-21, and Mitigated Negative Declaration No. 1875 to demolish an existing retail building in order to construct a new 255-unit mixed-use apartment development, open parking structure for the adjacent apartment complex use, related site improvements, and a reduction of 48 parking spaces and 670 square feet of open space, located at 840 The City Drive South.

Approval of the Consent Calendar

Item 3.4 was removed for separate discussion. All other items were approved as recommended.

A motion was made by Councilmember Dumitru, seconded by Councilmember Bilodeau, to approve the Consent Calendar as recommended. The motion carried by the following vote:

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

END OF CONSENT CALENDAR

4. REPORTS FROM MAYOR SLATER

Mayor Slater discussed posting signage at entrances of the City notifying the public that fireworks are illegal in Orange.

5. REPORTS FROM COUNCILMEMBERS

5.1. Highlight Local Business (Gutierrez)

Councilmember Gutierrez highlighted the following local business: Salon Adelante.

5.2. Other Councilmember Reports

Councilmember Dumitru reported he attended the Southern California Association of Governments (SCAG) Annual Meeting of the General Assembly on May 4. Regional transportation and regional housing were just a couple of the several items that were discussed. He also announced that he has been appointed to a two-year term on the SCAG Board as the representative of Orange, Tustin, and Villa Park.

Councilmember Bilodeau reported that he serves on the Foothill Eastern TCA (Transportation Corridor Agencies) Board and has been assigned to a subcommittee of the Board. The subcommittee is proposing the construction of a direct connector bridge from the northbound 241 Toll Road to the eastbound 91 express lanes. If approved, the project is expected to be funded by Foothill Eastern TCA unrestricted cash.

Councilmember Gutierrez, representative of the City/Schools Coordinating Committee, reported the following: the committee discussed joint use of school facilities (specifically of the El Modena High School pool), high school graduation banners will be on display soon, and every city is challenged with hiring and retaining school crossing guards (there are currently 36 vacancies).

Mayor pro tem Barrios announced the Orange County Register has opened its annual

A motion was made by Councilmember Bilodeau, seconded by Councilmember Dumitru, to adopt Ordinance No. 04-23 as proposed. The motion carried by the following vote:

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

Mayor pro tem Barrios left the dais at 9:38 p.m.

9. PUBLIC HEARINGS

9.1. Public Hearing to consider the FY2023-2024 Annual Action Plan for use of Community Development Block Grant and HOME Investment Partnerships Funding.

Senior Administrative Analyst Jessica Herrera presented the staff report and answered Council's questions regarding the creation of HUD maps and how funds are distributed.

Mayor Slater opened the Public Hearing at 9:42 p.m.

Public Speaker

Sammy Rodríguez expressed concerns with portions of El Modena Barrio being excluded from HUD maps.

Mayor Slater closed the Public Hearing at 9:44 p.m.

During discussion, staff answered Council's questions regarding a Home Improvement Program.

Councilmember Tavoularis left the meeting at 10:33 p.m.

A motion was made by Councilmember Gutierrez, seconded by Councilmember Dumitru, to approve the following and to direct staff to return with a report for Council to consider reinstating a Home Improvement Program: 1) Approve the draft Fiscal Year 2023-2024 Annual Action Plan and authorize the City Manager or his designee to execute the Fiscal Year 2023-2024 Memorandum of Understanding with City departments, subrecipient agreements with non-profit agencies, and all related U.S. Department of Housing and Urban Development documents; 2) Authorize staff to incorporate comments received at the Public Hearing or make changes if needed into the Annual Action Plan before submitting to the Department of Housing and Urban Development. The motion carried by the following vote:

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

Mayor pro tem Barrios returned to the dais at 10:41 p.m.

10. STUDY SESSION

10.1. Second Study Session for the Proposed Fiscal Year 2023-24 Budget.

Assistant Finance Director Katrin Bandhauer provided an update on FY 23 General Fund projections, FY 24 General Fund revenues and expenditures, and the status of designated reserves utilizing a PowerPoint presentation. During discussion, direction was provided to staff.

The report was received and filed.

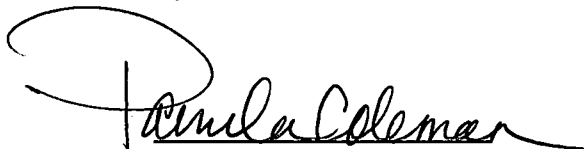
Council recessed at 12:06 a.m. and reconvened in Closed Session at 12:08 a.m. with all Members present, except Councilmember Tavoularis who was absent.

Council reconvened in Open Session at 12:26 a.m. with nothing to report out.

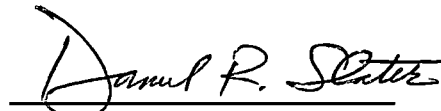
11. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:26 a.m. in Memory of Hannah MacDonald.

The next Regular City Council meeting will be held on Tuesday, May 23, 2023, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m., if necessary.



PAMELA COLEMAN
CITY CLERK



DANIEL R. SLATER
MAYOR