

MINUTES - DRAFT

City of Orange

City Council

October 10, 2023

The City Council of the City of Orange, California convened on Tuesday, October 10, 2023, at 5:00 p.m. in a Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

4:45 PM EMPLOYEE RECOGNITION

1. WELCOME

Mayor Slater welcomed everyone to the Employee Service Awards.

2. EMPLOYEE SERVICE AWARDS

Employees were recognized for their years of service to the City and the community.

3. RECESS

The City Council recessed at 4:53 p.m.

5:00 PM CLOSED SESSION

1. CALL TO ORDER

Mayor Slater called Closed Session to order at 5:00 p.m.

1.1 ROLL CALL

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

Absent: None

Councilmember Bilodeau joined Closed Session at 5:01 p.m. Mayor pro tem Barrios joined Closed Session at 5:02 p.m.

2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

None

3. RECESS TO CLOSED SESSION

The City Council recessed to Closed Session at 5:02 p.m. with all Members present to discuss the following:

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a) & (d)(1) - Two cases

Name of Case: Mary's Kitchen, et al. v. City of Orange.

United States District Court Case No. 8:21-cv-01483

Name of Case: Mary's Kitchen, et al. v. City of Orange

Orange County Superior Court Case No. 30-2021-01224070

b. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Negotiator: Tom Kisela, City Manager

Employee Organizations: Orange Maintenance and Crafts Employees' Association, Orange Management Association, Orange Municipal Employees' Association, and Water Division Employees' Association

RECESS TO REGULAR MEETING: At 6:00 p.m., the City Council recessed from Closed Session to a Regular Meeting in the Council Chamber.

The Council reconvened in Closed Session at 7:55 p.m. with all Members present.

4. CLOSED SESSION REPORT

None

5. ADJOURNMENT

Closed Session was adjourned at 9:14 p.m.

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

Mayor Slater called the meeting to order at 6:04 p.m.

1.1 INVOCATION

Given by Pastor Brenton Fessler, Orange Police Department Chaplain & Refuge OC.

1.2 PLEDGE OF ALLEGIANCE

Led by Councilmember Ana Gutierrez.

1.3 ROLL CALL

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

Absent: None

1.4 PRESENTATIONS/ANNOUNCEMENTS

Recognition of Central Orange Girls Fast Pitch 14U All-Star Panthers Team.

Recognition of Olive Pony World Series 11U Champions.

CalOptima Health and Orange County Social Services Agency Presentation was re-ordered to be heard after the baseball recognition.

Friends of the Orange Public Library Presentation to the Orange Public Library.

El Modena High School Student Liaison Emma Hoffman provided Council with a brief update on school happenings.

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

1.5 REPORT ON CLOSED SESSION ACTIONS

None

2. PUBLIC COMMENTS

Public Speakers:

Ali Raisdanai spoke about an issue with the Orange Police Department.

Carole Walters raised concerns with public safety in the Plaza.

Written Public Comment

Janice Brownfield emailed about the importance of recycling organic waste and reducing methane emissions.

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 September 7, 14, 21, and 28, 2023.

ACTION: Approved as presented.

3.3. Approval of minutes of the City of Orange City Council Regular Meeting held on September 12, 2023.

ACTION: Approved minutes as presented.

3.4. Agreement with West Publishing Corporation for acquisition and maintenance of ProLaw comprehensive legal case management system.

ACTION: 1) Authorized the appropriation of \$25,000 from the Liability fund (740) unreserved fund balance to expenditure account 740.0301.51600.00000 - Legal Services; and 2) Approved the Agreement with West Publishing Corporation in the amount of \$60,000 for acquisition and maintenance of ProLaw comprehensive legal case management system; and authorized the Mayor and City Clerk to execute on behalf of the City.

3.5. First Amendment to Agreement with Amber Gregg, Inc. for Planning consulting services.

ACTION: Approved the First Amendment to agreement with Amber Gregg Inc. for Planning consulting services; and authorized the Mayor and City Clerk to execute on behalf of the City.

3.6. First Amendment with Adlerhorst International, LLC, for police canine services; and appropriation of \$18,630 in designated donation funding received from the Orange Police Foundation to the Orange Police Department canine program.

Item 3.6 was removed from the Consent Calendar for separate consideration by Councilmember Gutierrez.

In response to Council's questions, Police Chief Dan Adams explained how the Police Foundation was established.

ACTION: A motion was made by Councilmember Gutierrez, seconded by Mayor pro tem Barrios, to: 1) Approve First Amendment with Adlerhorst International, LLC, and authorize the Mayor and City Clerk to execute on behalf of the City; 2) Accept into the City's revenue budget an \$18,630 donation from the Orange Police Foundation into revenue account number 100.4021.48390.12307, General Fund - K9/SWAT Donations; and 3) Authorize the appropriation of \$18,630 into expenditure account number 100.4021.55510.12307 General Fund - K9/SWAT Donations. The motion carried by the following vote:

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

Noes: None

Absent: None

3.7. Appropriation of \$30,000 in designated donation funding received from the Friends of the Orange Public Library.

ACTION: 1) Accepted into the City's budget a \$30,000 donation from Friends of the Orange Public Library into revenue account number 100.2001.48390.19990, General Fund - Friends of the Library.

2) Authorized the appropriation of \$30,000 into the following expenditure account numbers in the General Fund for Friends of the Orange Public Library:

\$ 2,000	100.2001.53011.19990	Employee Appreciation
4,250	100.2001.55131.19990	Furniture, Machinery, and Equipment
22,000	100.2004.55131.19990	Furniture, Machinery, and Equipment
1,750	100.2016.53340.19990	Craft Supplies

3.8. Appropriation of \$34,522 in designated grant funding received from the California Department of Resources Recycling and Recovery for the Beverage Container Recycling City Payment Program.

ACTION: 1) Accepted into the City's revenue budget a \$34,522 grant from the California Department of Resources Recycling and Recovery into revenue account number 220.5022.45290.20536, Sewer - Beverage Container Program 22-23.

2) Authorized the appropriation of \$34,522 into the following expenditure account numbers Sewer - Beverage Container Program 22-23:

220.5022.51001.20536	Contractual Services	\$21,022
220.5022.53001.20536	Materials and Supplies	\$12,000
220.5022.50002.20536	Regular Salaries - Misc	\$1,500

3.9. Approval of plans and specifications for Annual Pipeline Renewal Project; authorization to advertise for bids; and finding of CEQA exemption.

ACTION: Approved the plans and specifications and authorized advertising for Bid No. 23-24.13; W-722.

3.10. Approval of plans and specifications for Community Development Block Grant El Modena Basin Public Restroom Improvement Project; authorization to advertise for bids; and finding of CEQA exemption.

ACTION: 1) Approved plans and specifications and authorize advertising for Community Development Block Grant El Modena Basin Public Restroom Improvement Project, Bid No. 23-24.15 (SP-4257); and 2) Approved the use of sole-source supplier, Public Restroom Company, for designing and pre-fabricating of restroom facility for the El Modena Basin Public Restroom Improvement Project.

3.11. Claims for Damages.

Item 3.11 was removed from the Consent Calendar for separate consideration by Councilmember Dumitru.

Council requested staff evaluate the process for denying claims that are submitted incorrectly to the City for another agency and the approval/settlement process.

ACTION: A motion was made by Councilmember Dumitru, seconded by Mayor pro tem Barrios, to deny the following claims and refer to City Attorney and Claims Adjuster:

1. Andrew Hoyt
2. Timeline Pest Control
3. Michael Douglas Henning
4. Anthony Quintero
5. Eusebio Hernandez Ricardo
6. Jennie Mendoza
7. Michelle McGowan
8. Christopher Angell
9. Luis A. Serrano

The motion carried by the following vote:

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

Noes: None

Absent: None

3.12. Final Acceptance of Bid No. 22-23.13, Plaza Park Safety Enhancement Project; and authorization to file Notice of Completion.

ACTION: Accepted Plaza Park Safety Enhancement Project (SP-4230) as complete, and authorized staff to file Notice of Completion with the County Recorder.

3.13. Final Acceptance of Carpet Replacement Project at City Hall and Orange Police Department; and authorization to file Notice of Completion.

ACTION: Accepted the Carpet Replacement Project at City Hall Public Works and Community Development Departments and Police Department as complete, and authorized staff to file Notice of Completion with the County Recorder.

3.14. Sale of surplus property located on the south side of 2045 East Palmyra Avenue.

Written Public Comment

Shirley Grindle emailed in support of approval.

ACTION: Approved the sale of the surplus property located on the south side of 2045 East Palmyra Avenue to Mr. Hamed Soltari for \$8,710; and authorized the Mayor and City Clerk to execute the Quitclaim Deed and related documents on behalf of the City.

3.15. Second Reading and adoption of an Ordinance of the City Council of the City of Orange adding Chapter 2.62 to Title 2 of the Orange Municipal Code (Administration and Personnel) establishing a new Commission regarding Santiago Creek. Ordinance No. 13-23.

ACTION: Adopted Ordinance No. 13-23.

3.16. Memorandum of Understanding between the City of Orange and the Orange City Fire Management Association. Resolution No. 11494.

ACTION: Adopted Resolution No. 11494. A Resolution of the City Council of the City of Orange repealing Resolution No. 11275 and all amendments thereto and approving the Memorandum of Understanding between the City of Orange and the Orange City Fire Management Association concerning wages, hours, and other conditions of employment effective July 1, 2023, through June 30, 2026.

3.17. Approval of the Grant of Easement to Southern California Edison at Katella Terrace Apartments located at 1249 E. Katella Avenue.

ACTION: Approved Grant of Easement to Southern California Edison at Katella Terrace Apartments located at 1249 E. Katella Avenue; and authorized the Mayor to execute on behalf of the City.

Approval of the Consent Calendar

Items 3.6 and 3.11 were removed from the Consent Calendar and heard separately. All other items were approved as recommended.

A motion was made by Councilmember Tavoularis, seconded by Councilmember Gyllenhammer, 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

None

5. REPORTS FROM COUNCILMEMBERS

5.1. Highlight Local Business (Barrios & Gutierrez)

Mayor pro tem Barrios highlighted the following local business: Get Community. Councilmember Gutierrez highlighted the following local business: Toma Smog.

6. AB 1234 REPORTS

None

7. REPORTS FROM CITY MANAGER

None

8. LEGAL AFFAIRS

8.1. Introduction and First Reading of Ordinance No. 14-23 adding Chapter 2.13 to Title 2 of the Orange Municipal Code Related to Lobbyist Registration and Reporting.

Senior Assistant to the City Manager Jack Morgan provided the staff report and responded to Council's questions. Council discussed the registration fee, which would be adopted by resolution; First Amendment rights; and the creation of a Council ad hoc committee to review the proposed ordinance and Campaign Reform ordinance.

A motion was made by Councilmember Dumitru, seconded by Councilmember Bilodeau, to create a City Council ad hoc committee to review Orange Municipal Code Chapter 2.10 and proposed Ordinance No. 14-23 with a sunset date of three months and one 30 day extension. The motion carried by the following vote:

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

With Council concurrence, Councilmembers Tavoularis, Gutierrez, and Dumitru were appointed as members to the ad hoc committee.

9. PUBLIC HEARINGS

9.1. Public Hearing to consider introduction and First Reading of an ordinance adding Chapter 8.38 of Title 8 ("Health and Safety") to the Orange Municipal Code relating to the registration and monitoring of vacant properties and adoption of a resolution setting the amount of fees for registration, monitoring and appeals.

A motion was made by Councilmember Dumitru, seconded by Councilmember Gutierrez, to continue Item 9.1 to the October 24, 2023, Regular City Council meeting. The motion carried by the following vote:

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

Council recessed at 7:51 p.m. and reconvened in Closed Session at 7:55 p.m. with all Members present.

10. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:14 p.m.

The next Regular City Council meeting will be held on Tuesday, October 24, 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

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