

MINUTES - DRAFT

City of Orange

City Council

June 11, 2024

The City Council of the City of Orange, California convened on Tuesday, June 11, 2024, at 6:00 p.m. in a Regular Meeting and Adjourned Special 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 6:55 p.m.

1.1 INVOCATION

Given by Chaplain Sean Chavarria from the Community Foundation of Orange.

1.2 PLEDGE OF ALLEGIANCE

Led by Councilmember Kathy Tavoularis.

1.3 ROLL CALL

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

Absent: None

CONTINUED FROM 4:30 PM BUDGET STUDY SESSION

2.1. Fiscal Year 2024-2025 General Fund Budget Balancing Proposal.

Public Works Reductions

Tree trimming, removal and planting, and emergency work (reduce by 50%)	\$132,499
Janitorial Services - reduce service by 50%	190,000
Water fountain maintenance - reduce service by 50%	3,400
Landscape services at city facilities and parking lots (reduce by 50%)	18,500
Eliminate graffiti staff augmentation	67,000

A motion was made by Councilmember Gyllenhammer, seconded by Councilmember Bilodeau, to approve proposed Public Works reductions with the following line items removed for separate consideration: Santiago Creek Cleanup and Plaza sidewalk steam cleaning. The motion carried by the following vote:

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

Noes: Barrios

Absent: None

Public Works Reductions

Santiago Creek cleanup - reduce by 100% \$30,000

A motion was made by Councilmember Dumitru, seconded by Councilmember Gyllenhammer, to eliminate Santiago Creek cleanup by 100%. The motion carried by the following vote:

Ayes: Barrios, Dumitru, Tavoularis, and Gyllenhammer

Noes: Gutierrez, Bilodeau, and Slater

Absent: None

Public Works Reductions

Plaza sidewalk steam cleaning - reduce by 100% \$34,000

A motion was made by Councilmember Dumitru, seconded by Councilmember Gyllenhammer, to eliminate Plaza sidewalk steam cleaning by 100%. The motion carried by the following vote:

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

Noes: Tavoularis, and Slater

Absent: None

Community Development Reductions

For future consideration:

2 PT Code Enforcement Officers FY25 request \$154,000
(augmentation)

A motion was made by Councilmember Bilodeau, seconded by Councilmember Gyllenhammer, to approve proposed Community Development reductions as presented. The motion carried by the following vote:

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

Noes: None

Absent: None

Police Department Reductions

Overtime for special events \$112,833 - keep

A motion was made by Councilmember Tavoularis, seconded by Councilmember Dumitru, to keep Police Department "overtime for special events" line item until status of city special events is determined. The motion carried by the following vote:

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

Noes: None

Absent: None

Police Department Reductions

Reduce contracts, uniforms, training \$224,468 - for future consideration
ammunition, and equipment for personnel

A motion was made by Councilmember Tavoularis, seconded by Councilmember Dumitru, to move Police Department "reduce contracts, uniforms, training, ammunition, and equipment for personnel" line item from proposed column to future consideration. The motion carried by the following vote:

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

Noes: Bilodeau, and Gyllenhammer

Absent: None

Police Department Reductions

Crossing Guards Program \$425,000

A motion was made by Councilmember Dumitru, seconded by Councilmember Tavoularis, to eliminate the Crossing Guards program. The motion carried by the following vote:

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

Noes: Gutierrez, and Bilodeau

Absent: None

Administrative Support Reductions

Eliminate Hiring Incentive \$73,000 - for future consideration

A motion was made by Councilmember Tavoularis, seconded by Mayor pro tem Barrios, to move Administrative Support "eliminate hiring incentive" line item from proposed column to future consideration. The motion carried by the following vote:

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

Noes: Gyllenhammer

Absent: None

Council discussed non-safety vacancy rate and increasing the 11 positions to 20. After further discussion, Mayor pro tem Barrios made a motion to hold 11 non-safety positions vacant.

A substitute motion was made by Councilmember Gyllenhammer seconded by Councilmember Bilodeau to increase the hold on non-safety vacancies from 11 to 20. The motion failed by the following vote:

Ayes: Tavoularis, Bilodeau, and Gyllenhammer

Noes: Barrios, Dumitru, Gutierrez, and Slater

Absent: None

Non-safety Vacancies

Holding 11 vacancies \$1,478,130

A motion was made by Mayor pro tem Barrios, seconded by Councilmember Tavoularis, to approve holding 11 non-safety positions vacant. The motion carried by the following vote:

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

Noes: Dumitru, and Gyllenhammer

Absent: None

Mayor Slater made a motion, seconded by Councilmember Tavoularis, to hold five Fire Department vacancies and not hold any vacancies for Police.

In response to Council's questions, Police Chief Adams and Fire Chief deMetropolis indicated there would not be any impacts to service levels if 11 vacancies were held.

After further discussion a substitute motion was made by Councilmember Bilodeau, seconded by Mayor pro tem Barrios, to hold 11 safety positions vacant until a revenue source is identified. The motion failed by the following vote:

Ayes: Barrios, Bilodeau, and Gyllenhammer

Noes: Dumitru, Tavoularis, Gutierrez, and Slater

Absent: None

Safety Vacancies

Holding 11 vacancies

5 Fire Department

\$761,320

6 Police Department (5 Police & 1 Record Manager)

\$1,024,844 - keep

A motion was made by Mayor Slater, seconded by Councilmember Tavoularis, to hold five Fire Department vacancies and remove holding any vacancies for the Police Department. The motion carried by the following vote:

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

A motion was made by Councilmember Gyllenhammer, seconded by Mayor pro tem Barrios, to direct staff to return with a RFP for a fee and cost allocation study. The motion carried by the following vote:

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

Staff was also directed to return with a report amending the Design Review Committee Ordinance relating to duties, responsibilities, and meeting days/times. Staff clarified that such an Ordinance must be scheduled on a Planning Commission agenda before coming to Council.

1.4 ANNOUNCEMENTS

Mayor Slater announced various summer Library programs.

ITEMS TO BE RE-ORDERED ON AGENDA:

Mayor Slater announced that staff is requesting to continue Items 7.1 and 7.2, and re-ordered them to be heard before Public Comments.

7.1. Public Hearing to consider rezoning of public-school properties to Public Institution to establish consistency with the Public Facilities and Institutions General Plan Land Use Designation; and introduction and First Reading of the associated Ordinance No. 14-24 (Zone Change No. 1313-24).

A motion was made by Mayor Slater, seconded by Councilmember Tavoularis, to continue Item 7.1 to the July 23, 2024, Regular City Council meeting. The motion carried by the following vote:

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

7.2. Public Hearing to consider rezoning of public parks to Recreation-Open Space to establish consistency with the Open Space and Open Space-Park General Plan Land Use Designations and introduction and First Reading of the associated Ordinance No. 15-24 (Zone Change No. 1314-24).

A motion was made by Councilmember Gutierrez, seconded by Councilmember Gyllenhammer, to continue Item 7.2 to the July 23, 2024, Regular City Council meeting. The motion carried by the following vote:

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

Noes: None

Absent: None

2. PUBLIC COMMENTS

Public Speaker:

Harry Mear expressed concerns with a proposed family shelter opening in his neighborhood.

Written Public Comment

Janice Brownfield submitted an email regarding the importance of trees to the environment.

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 May 2, 9, 16, 23, and 30, 2024.

ACTION: Approved as presented.

3.3. Approval of minutes of the City of Orange City Council Regular Meeting held on May 14, 2024.

ACTION: Approved minutes as presented.

3.4. Operating Agreement with The HUB OC for support services and use of the property located at 517 W. Struck for the HUB Resource Center. (Continued from May 14, 2024)

Note: Mayor pro tem Barrios abstained.

ACTION: 1) Approved the Operating Agreement with The HUB OC to continue supportive services and use of the property located at 517 W. Struck in the amount not to exceed \$2,970,000; and authorized the Mayor and City Clerk to execute on behalf of the City.

2) Authorized the appropriation of \$3,000,000 from the SB2-Building Homes & Jobs Act Fund (312) unreserved fund balance to expenditure account number 312.9660.51670.30206, SB2-Building Homes & Jobs Act Fund (312) - State Grant Funding HRC.

3.5. Fifth Amendment to the Agreement with Lyons Security Services Inc., for final contract payment for park security services.

ACTION: Approved the amendment with Lyons Security Services Inc. in the amount of \$6,760.76 for security services; and authorized the Mayor and City Clerk to execute on behalf of the City.

3.6. Appropriation of \$368,156 in SB 1383 Local Assistance Grant Program Fiscal Year 2022-23; approval of agreements for services; and the purchase of equipment related to SB 1383.

ACTION: 1) Accepted into the City's General Fund (100) revenue budget, \$368,156 in grant funds from the California Department of Resources Recycling and Recovery, into:

100.5001.48486.30251 SB 1383 Grant - FY 23

2) Authorized the appropriation of \$368,156 to General Fund (100):
100.5001.51670.30251 SB 1383 Grant - FY 23

3) Approved agreement with Tripepi Smith & Associates, Inc. in the amount of \$96,873 for professional services; and authorized the Mayor and City Clerk to execute on behalf of the City.

4) Approved agreement with HF&H Consultants, LLC. in the amount of \$90,000 for professional services; and authorized the Mayor and City Clerk to execute on behalf of the City.

5) Approved the purchase of two pieces of equipment from Stotz Equipment in the amount of \$49,491.

6) Approved the purchase of two pieces of equipment from Belkorp Ag, LLC in the amount of \$151,630.

3.7. Approval of plans and specifications for Glassell Street & La Veta Avenue Water Quality Storm Drain Improvement Project; authorization to advertise for Bid No. 23-24.38 (D-182); and finding of California Environmental Quality Act exemption.

ACTION: 1) Approved the plans and specifications and authorize advertising for Bid No. 23-24.38, Glassell Street & La Veta Avenue Water Quality Storm Drain Improvement Project; and 2) Found that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines 15301 (Class 1(c) - Existing Facilities).

3.8. Notice of Completion and Acceptance for Water Division Bin Storage Cover Project; Bid No. 22-23.24.

ACTION: 1) Accepted the Water Division Bin Storage Cover Project as complete; and 2) Authorized City Clerk to file Notice of Completion with the Orange County Clerk-Recorder's Office.

3.9. Notice of Completion and Acceptance for Steel Streetlight Replacement, Fiscal Year 2021-2022 Project; Bid No. 21-22.36 (SP-4196).

ACTION: 1) Accepted Steel Streetlight Replacement, Fiscal Year 2021-2022 Project as complete; and 2) Authorized City Clerk to file Notice of Completion with the Orange County Clerk-Recorder's Office.

3.10. Second Reading and adoption of an Ordinance of the City Council of the City of Orange approving Zone Change No. 1307-22 to change the Zoning Classification from Commercial Professional (C-P) to Residential Multiple Family (R-3) on a 2.71-acre site located at 901 E. Katella Avenue. Ordinance No. 13-24

Note: Councilmember Gutierrez registered a no vote.

ACTION: Adopted Ordinance No. 13-24.

3.11. Authorize purchase of ballistic vests and helmets from U.S. Armor Corporation.

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

In response to Council's questions, staff explained that the City Infrastructure Bond funds cannot be used for this type of purchase. The bond funds must be used for hardware security.

ACTION: A motion was made by Councilmember Gyllenhammer, seconded by Mayor pro tem Barrios, to approve the Fiscal Year 2024-2025 purchase of ballistic vests and helmets from U.S. Armor Corporation for \$60,000. The motion carried by the following vote:

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

Noes: None

Absent: None

3.12. Authorize purchase of water meters from Ferguson Waterworks as the sole authorized distributor of Neptune Technology Group, Inc. in the State of California.

ACTION: Approved the purchase of replacement water meters from Ferguson Waterworks in the amount of \$400,000 for Fiscal Year 2024-2025.

3.13. Authorize purchase of Police Department uniforms from Galls, LLC.

ACTION: Approved the purchase of Police Department uniforms from Galls, LLC for \$130,000.

3.14. Request to temporarily close the city-owned surface parking lot and paseo adjacent to and south of the Old Towne West Parking Structure.

ACTION: Approved the temporary closure of the city-owned surface parking lot and paseo adjacent to and south of the Old Towne West Parking Structure for the Old Towne Chili Cook Off, contingent upon a special event permit being approved by City staff.

3.15. Status and update of the Pavement Management Program for the Measure M2 program. Resolution No. 11555.

ACTION: 1) Adopted Resolution No. 11555. A Resolution of the City Council of the City of Orange concerning the status and update of the pavement management plan for the Measure M (M2) program.

2) Authorized staff to submit M2 eligibility documentation to the Orange County Transportation Authority.

Approval of the Consent Calendar

Item 3.11 was removed from the Consent Calendar and heard separately. Mayor pro tem Barrios abstained from Item 3.4. Councilmember Gutierrez registered a no vote on Item 3.10. All other items were approved as recommended.

A motion was made by Councilmember Tavoularis, seconded by Councilmember Dumitru, 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 announced that he would be making recommendations to fill current and upcoming vacancies on DRC, Planning Commission, and Traffic Commission at the next meeting.

5. REPORTS FROM COUNCILMEMBERS

None

6. AB 1234 REPORTS

None

7. PUBLIC HEARINGS

7.1. Public Hearing to consider rezoning of public-school properties to Public Institution to establish consistency with the Public Facilities and Institutions General Plan Land Use Designation; and introduction and First Reading of the associated Ordinance No. 14-24 (Zone Change No. 1313-24).

Item 7.1 was previously continued to the July 23, 2024, Regular City Council meeting.

7.2. Public Hearing to consider rezoning of public parks to Recreation-Open Space to establish consistency with the Open Space and Open Space-Park General Plan Land Use Designations and introduction and First Reading of the associated Ordinance No. 15-24 (Zone Change No. 1314-24).

Item 7.1 was previously continued to the July 23, 2024, Regular City Council meeting.

8. ADMINISTRATIVE REPORTS

8.1. Consider potential sales tax measure scenarios and provide direction to City staff.

Public Speakers:

Eddie Albright discussed the number of non-profits in Orange that do not pay taxes.

Laura Thomas spoke in opposition of a sales tax measure.

Reggie Mundekis spoke in support of a sales tax measure with a 10-15 year sunset.

During deliberation, Council discussed unfunded state mandates, the City's past structural deficit and budget balancing measures that have been implemented over the years, qualifications for a citizen oversight committee if sales tax measure is passed, a fiscal policy, and additional potential budget reductions.

Council also requested information on establishing qualifications for the elected position of City Treasurer.

A motion was made by Councilmember Dumitru, seconded by Mayor pro tem Barrios, to direct staff to prepare required documents to place a sales tax measure (transactions and use tax) on the November 5, 2024, ballot with options for a 1% and 0.75% tax and expiration options of 20, 15, and 10 years.

A substitute motion was made by Mayor Slater, seconded by Councilmember Bilodeau, to direct staff to prepare required documents to place a 0.5% sales tax measure (transactions and use tax) with an eight year expiration on the November 5, 2024, ballot. The motion failed by the following vote:

Ayes: Bilodeau, and Slater

Noes: Barrios, Dumitru, Tavoularis, Gutierrez, and Gyllenhammer

Absent: None

A motion was made by Councilmember Dumitru, seconded by Mayor pro tem Barrios, to prepare the necessary documents to place a sales tax measure (transactions and use tax) on the November 5, 2024, ballot with options for a 1% and 0.75% tax and expiration options of 20, 15, and 10 years and to include a citizen oversight committee if the measure should be approved by the voters. The motion carried by the following vote:

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

Noes: Bilodeau, and Gyllenhammer

Absent: None

9. REPORTS FROM CITY MANAGER

None

10. LEGAL AFFAIRS

- 10.1. Introduction and First Reading of Ordinance No. 12-24 deleting Chapter 10.30 of the Orange Municipal Code (Parking Requirements) and adopting a new Chapter 10.30; and approving designated permit parking areas and established permit parking opportunity areas within the City of Orange. Resolution No. 11550.**

Staff responded to Council's questions and confirmed the proposed ordinance would replace the current Permit Parking policy.

Mayor pro tem Barrios left the meeting at 9:26 p.m.

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

- 1) Introduce and conduct First Reading of Ordinance No. 12-24. An Ordinance of the City Council of the City of Orange deleting Chapter 10.30 of the Orange Municipal Code (Parking Requirements) and adopting a new Chapter 10.30.
- 2) Adopt Resolution No. 11550. A Resolution of the City Council of the City of Orange adopting a Revised Master Resolution of Designated Permit Parking Areas and Established Permit Parking Opportunity Areas within the City of Orange.

The motion carried by the following vote:

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

Noes: Bilodeau

Absent: Barrios

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:28 p.m.

The next Regular City Council meeting will be held on Tuesday, June 25, 2024, 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