

**MINUTES - DRAFT**

**City of Orange**

**City Council**

November 26, 2024

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The City Council of the City of Orange, California convened on Tuesday, November 26, 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 Pastor Orlando Barela from Household of Faith Family Church.

**1.2 PLEDGE OF ALLEGIANCE**

Led by Mayor pro tem Arianna Barrios.

**1.3 ROLL CALL**

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

**Absent:** None

**1.4 ANNOUNCEMENTS**

None

**2. PUBLIC COMMENTS**

Public Speakers:

Greg Arrowsmith volunteered his extermination services for city facilities.

Susie Huber, Orange Library Board Trustee, spoke in support of the library and the programs it offers.

Alicia Westphalen expressed her gratitude for the library programs available to her family.

Reggie Mundekis expressed concerns with traffic safety issues in the Plaza.

Doug Redding provided the Council with safety measure suggestions for the Plaza.

Nick Spain spoke in support of the library and the programs it offers.

Written Public Comment

Janice Brownfield emailed about the benefits of urban farming.

### 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. Approval of minutes of the City of Orange City Council Regular Meeting held on November 12, 2024.

ACTION: Approved minutes as presented.

#### 3.3. Agreement with Municipal Water District of Orange County for sharing the consultant cost for completion of Orange County Water and Wastewater Multi-jurisdictional Hazard Mitigation Plan and America Water Infrastructure Act of 2018 Projects.

ACTION: Approved agreement with the Municipal Water District of Orange County in the amount of \$89,700; and authorized the Mayor and City Clerk to execute on behalf of the City.

#### 3.4. First Amendment to Agreement with OpenGov, Inc. for the City's budgeting and planning financial program.

ACTION: Approved the first amendment to agreement with OpenGov, Inc. for budget and planning, organizational performance, and citizen engagement software tools and; authorized the Mayor and City Clerk to execute on behalf of the City.

#### 3.5. Second Amendment to Attorney Services Agreement with McCune & Harber, LLP to provide legal services relating to litigation defense in the matter of Terrence Velasquez v. City of Orange.

ACTION: Approved a Second Amendment to Attorney Services Agreement with McCune & Harber, LLP in the amount of \$30,000; and authorized the Mayor and City Clerk to execute on behalf of the City.

#### 3.6. Approval of plans and specifications for Annual Concrete Replacement at Various Locations Fiscal Year 2024-2025; authorization to advertise for Bid No. 24-25.11 (SP-4297); and finding of CEQA exemption.

ACTION: 1) Approved the plans and specifications and authorize advertising for bids for Annual Concrete Replacement at Various Locations Fiscal Year 2024-2025.

2) Authorized the following budget transfer in Citywide TSIP (287):

From: 287.5011.56330.11328	ADA Improvements	\$200,000
To: 287.5011.56330.13120	Pavement Management Program	\$200,000

3) 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).

**3.7. Rejection of all bids for Steel Streetlight Replacement Fiscal Year 2024-2025 Project; Bid No. 24-25.03 (SP-4271).**

ACTION: Rejected all bids received for Steel Streetlight Replacement Fiscal Year 2024-2025 Project.

**3.8. Award of Contract to Bear Electrical Solutions, LLC for area lighting replacement at Grijalva Park, Bid No. 24-25.06; and finding of CEQA exemption.**

ACTION: 1) Approved the contract to Bear Electrical Solutions, LLC in the total amount of \$693,000 for the Area Lighting Replacement at Grijalva Park project (20477); and authorized the Mayor and City Clerk to execute on behalf of the City.

2) Authorized the appropriation of \$58,354 from the Park Acquisition (Infill) Fund (510) unreserved fund balance to:

510.7021.56015.20477 CIP - Reno - Area Lighting Replacement.

3) Found the project Categorically Exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines 15302 (Class 2 - Replacement or Reconstruction).

**3.9. Notice of Completion and Acceptance for Police Headquarters Lobby Roof and Heating, Ventilation, and Air Conditioning Rehabilitation Project; Bid No. 21-22.13 (SP-4130).**

ACTION: 1) Accepted Police Headquarters Lobby Roof and Heating, Ventilation, and Air Conditioning Rehabilitation Project as complete.

2) Authorized City Clerk to file Notice of Completion with the Orange County Clerk-Recorder's Office.

**3.10. Notice of Completion and Acceptance for Tustin Avenue/Rose Drive Corridor Regional Traffic Signal Synchronization Program Project - Intersection Improvements; Bid No. 22-23.41 (SP-4199).**

ACTION: 1) Accepted Tustin Avenue/Rose Drive Corridor Regional Traffic Signal Synchronization Program Project - Intersection Improvements as complete.

2) Authorized City Clerk to file Notice of Completion and Acceptance with the Orange County Clerk-Recorder's Office.

**3.11. Second Reading and adoption of an Ordinance of the City Council of the City of Orange amending Chapter 8.37 of the Orange Municipal Code pertaining to graffiti. Ordinance No. 29-24.**

ACTION: Adopted Ordinance No. 29-24.

**3.12. Authorize the purchase of thirteen vehicles from the National Auto Fleet Group and Republic EVS for the Orange Police, Public Works, and Fire Departments using a Cooperative Purchasing Agreement and equipment installation with Hi-Standard Automotive, LLC, as a single source provider.**

Entered into the record: A memo was distributed with a correction to the fund account name "EECBG Vehicle Replacement" and change in department from Public Works to Police for one of the new 2025 Ford Escape PHEV Plug-In Hybrid vehicles. The change aligns with the Energy Efficiency and Conservation Block Grant (EECBG) application, which specifies the vehicle's make, model, and department.

A speaker card was submitted for Item 3.12; therefore, the item was removed from the Consent Calendar for separate consideration.

Public Speaker:

Curt Peterson spoke in opposition of the purchase of vehicles at this time.

During discussion, staff answered Council's questions about the life of service for these vehicles and length of time to receive vehicles once they are purchased and outfitted. Staff confirmed the purchase is included in the FY 24-25 budget, and verified the electric vehicles are being purchased with grant funds.

ACTION: A motion was made by Councilmember Dumitru, seconded by Mayor pro tem Barrios, to:

- 1) Approve the purchase of eleven vehicles from National Auto Fleet Group for a total amount of \$588,763.
- 2) Approve the purchase of two vehicles from Republic EVS, LLC, for a total amount of \$596,766.
- 3) Approve the purchase and installation of safety equipment from Hi-Standard Automotive, LLC, a single-source vendor, for a total of \$154,220.
- 4) Approve the carryover of the following Fiscal Year 2023-2024 account balance to Fiscal Year 2024-2025:

550.5023.55212.19999 Motor Vehicle Replacement \$130,985

The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

**3.13. Water rate pass-through notice for Calendar Year 2025.**

ACTION: Received and filed.

**Approval of the Consent Calendar**

Item 3.12 was removed from the Consent Calendar and heard separately. All other items were approved as recommended.

A motion was made by Mayor pro tem Barrios, seconded by Councilmember Gutierrez, to approve the Consent Agenda. The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

**END OF CONSENT CALENDAR**

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**4. REPORTS FROM MAYOR SLATER**

Mayor Slater reported that City staff is considering additional safety measures for the Plaza after another vehicle entered into the Plaza Park and hit the fountain last week. The fountain should be repaired by next week.

## 5. REPORTS FROM COUNCILMEMBERS

Councilmember Tavoularis asked about the timeline for updating the Design Review Committee purpose and duties. Staff is working on a draft of the ordinance which is tentatively scheduled to be on a Council meeting agenda early next year.

## 6. AB 1234 REPORTS

None

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

### 7.1. Appointments to the Audit Advisory Committee.

Mayor Slater announced he was going to wait on Doug Vogel's appointment for now. He anticipates making appointments to the Investment Advisory Committee in January.

A motion was made by Councilmember Bilodeau, seconded by Councilmember Tavoularis, to appoint Jeff Grampp, Chris Horton, Andrew Li, Larry Sallinger, Jack Schroeder, and Brian Wilterink to the Audit Advisory Committee for two-year terms respectively ending June 30, 2026. The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

## 8. REPORTS FROM CITY MANAGER

None

## 9. PUBLIC HEARINGS

### 9.1. Public Hearing to consider introduction and First Reading of Ordinance No. 31-24 establishing Objective Design Standards for certain qualifying housing projects and finding of CEQA exemption.

Mayor Slater opened the Public Hearing at 6:37 p.m.

#### Public Speakers:

The following spoke in support of approval: Mark Wallace, Robert Paul, Douglas Westfall, Jonathan Zimmerman, Tony Trabucco, and Diana Zdenck.

#### Written Public Comments

The following submitted eComments in support of approval: Nicole Erickson, Ryan Cavalier, Jeannette McClain, Ben Kendall, Rosemarie Williams, Nancy MacDonald, Carrie Frisby, and Christine Richters.

Mayor Slater closed the Public Hearing at 6:41 p.m.

A motion was made by Mayor pro tem Barrios, seconded by Councilmember Dumitru, to:

1) Introduce and conduct First Reading of Ordinance No. 31-24. An Ordinance of the City Council of the City of Orange adopting Objective Design Standards by reference in Title 17 for qualified housing projects.

2) Find the ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378, because it involves administrative activities of the City that will not result in direct or indirect physical changes in the environment.

The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

## 10. ADMINISTRATIVE REPORTS

### 10.1. Implementation of permit parking on both sides of Trenton Avenue from Shaffer Street to Cleveland Street, within Permit Parking Opportunity Area #4, and on the south side of Meats Avenue from Cambridge Street to Greengrove Street, within Permit Parking Opportunity Area #5. Resolution Nos. 11584, 11585, or 11586.

Public Speaker:

Janet Wojtanowicz spoke in support of approval.

A motion was made by Councilmember Gutierrez, seconded by Mayor pro tem Barrios, to approve permit parking on Trenton Avenue and Meats Avenue and adopt Resolution No. 11584. 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:** Barrios, Dumitru, Tavoularis, Gutierrez, Bilodeau, Gyllenhammer, and Slater

**Noes:** None

**Absent:** None

### 10.2. Historic Property Preservation Agreements (Mills Act Contracts) for 17 qualified historic properties.

Council discussed pausing the program until Council is able to review the proposed revisions to the Mills Act program.

A motion was made by Councilmember Bilodeau, seconded by Councilmember Gutierrez, to suspend accepting new Mills Act applications until further direction is provided by the Council.

Public Speakers:

Reggie Mundekis spoke in support of pausing the program and in opposition of evergreen Mills Act contracts.

Kathleen Voss, applicant, spoke in support of approving the 2024 applications and pausing the program in the future.

Jim Carrillo, applicant, spoke in support of approving the contracts.

Diana Zdenck urged Council to wait until OLA presents proposed revisions to the Mills Act program before deciding to sunset the program.

Michael Knight, applicant, spoke in support of approving the contracts.

James Kushon spoke in support of approving the contracts.

Written Public Comment

The following submitted eComments in support of approving the contracts: Dan Healy, Jerrica Knight, Ben Kendall, and Steve Shearn.

A motion was made by Councilmember Bilodeau, seconded by Councilmember Gutierrez, to suspend the Mills Act program and accepting new Mills Act applications until further direction is provided by the Council. The motion carried by the following vote:

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

A motion was made by Councilmember Gutierrez, seconded by Councilmember Tavoularis, to approve the following Mills Act Contracts between the City of Orange and the identified property owners for the preservation and rehabilitation of qualified historic properties: MAC 446.0-24 (182 S. Waverly St.), MAC 447.0-24 (633 E. Maple Avenue), MAC 448.0-24 (1829 N. Woodside St.), MAC 450.0-24 (747 E. Palmdale), MAC 451.0-24 (589 S. Woodland St.), MAC 452.0-24 (270 S. Olive St.), MAC 453.0-24 (247 N. Center St.), MAC 454.0-24 (619 S. Woodland St.), MAC 455.0-24 (1284 N. Linda Vista St.), MAC 456.0-24 (1815 N. Woodside St.), MAC 459.0-24 (380 S. Shaffer St.), and MAC 460.0-24 (362 S. Shaffer St.); and authorize the Mayor and City Clerk to execute the contracts on behalf of the City.

The motion carried by the following vote:

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

Mayor pro tem Barrios recused herself from consideration of the following properties due to a potential conflict of interest with a nearby property interest and left the dais at 7:21 p.m.: 127 N. Grand St., 243 N. Grand St., 222 N. Pine St., 374 & 378 N. Pine St., and 186 S. Cambridge St.

A motion was made by Mayor Slater, seconded by Councilmember Tavoularis, to approve the following Mills Act Contracts between the City of Orange and the identified property owners for the preservation and rehabilitation of qualified historic properties: MAC 461.0-24 (127 N. Grand St.), MAC 462.0-24 (186 S. Cambridge St.), and MAC 463.0-24 (243 N. Grand St.); and authorize the Mayor and City Clerk to execute the contracts on behalf of the City.

The motion carried by the following vote:

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

Mayor Slater recused himself from consideration of the following properties due to a potential conflict of interest with a nearby property interest and left the dais at 7:22 p.m.: 222 N. Pine St., and 374 & 378 N. Pine St.

Councilmember Gutierrez conducted the meeting for the remaining properties.

A motion was made by Councilmember Tavoularis, seconded by Councilmember Bilodeau, to approve the following Mills Act Contracts between the City of Orange and the identified property owners for the preservation and rehabilitation of qualified historic properties: MAC 449.0-24 (222 N. Pine St.) and MAC 458.0-24 (374 & 378 N. Pine St.); and authorize the Mayor and City Clerk to execute the contracts on behalf of the City.

The motion carried by the following vote:

**Ayes:** Dumitru, Tavoularis, Gutierrez, and Bilodeau

**Noes:** Gyllenhammer

**Absent:** None

**Recuse:** Barrios, and Slater

Mayor Slater and Mayor pro tem Barrios returned to the dais at 7:24 p.m.

### 10.3. Fiscal Year 2025-2030 Citywide Strategic Plan.

A motion was made by Councilmember Gyllenhammer, seconded by Mayor pro tem Barrios, to adopt the Fiscal Year 2025-2030 Citywide Strategic Plan. The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

### 10.4. Executive Management and Senior Management employees' classification, compensation, and terms of employment and Citywide Pay Schedule. Resolution Nos. 11577 and 11578.

Public Speaker:

Curt Peterson spoke in support of approval.

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

1) Adopt Resolution No. 11577. A Resolution of the City Council of the City of Orange rescinding Resolution No. 11480 and all amendments thereto and approving provisions relating to the classification, compensation, and terms of employment of Executive Management and Senior Management employees effective July 1, 2024, through and including June 30, 2025.

2) Adopt Resolution No. 11578. A Resolution of the City Council of the City of Orange rescinding Resolution No. 11562 and amending the Citywide Pay Schedule in accordance with the requirements of the California Code of Regulations, Title 2, Section 570.5.

The motion carried by the following vote:

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

**Noes:** Dumitru

**Absent:** None



## 11. LEGAL AFFAIRS

### 11.1. Introduction and First Reading of Ordinance No. 30-24 amending Chapter 8.06 of the Orange Municipal Code establishing mandatory shopping cart retrieval plan and containment system.

A motion was made by Councilmember Gutierrez, seconded by Mayor pro tem Barrios, to introduce and conduct First Reading of Ordinance No. 30-24. An Ordinance of the City Council of the City of Orange amending Chapter 8.06 of the Orange Municipal Code establishing mandatory shopping cart retrieval plan and containment system. The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

### 11.2. Introduction and First Reading of Ordinance No. 32-24 prohibiting unlicensed or unpermitted bicycle sales and repairs on public property.

A motion was made by Mayor pro tem Barrios, seconded by Councilmember Gutierrez, to introduce and conduct First Reading of Ordinance No. 32-24. An Ordinance of the City Council of the City of Orange amending Chapter 10.10 of the Orange Municipal Code Pertaining to Prohibition on Repairs and Sales of Bicycles and Bicycle Parts on Public Property. The motion carried by the following vote:

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

**Noes:** None

**Absent:** None

## 12. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:50 p.m.

The next Regular City Council meeting will be held on Tuesday, December 10, 2024, at 6:00 p.m., in the Council Chamber, for the Oath of Office Ceremony, with Closed Session beginning at 5:00 p.m., if necessary.

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PAMELA COLEMAN  
CITY CLERK

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DANIEL R. SLATER  
MAYOR