

ORDINANCE NO. 14-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE AMENDING VARIOUS SECTIONS IN TITLE 2 OF THE ORANGE MUNICIPAL CODE RELATED TO THE ADMINISTRATION AND PERSONNEL OF THE CITY.

WHEREAS, the Orange Municipal Code requires updates, from time to time, to reflect current administrative or operational procedures adopted by the City; and

WHEREAS, the changes proposed update the Code with regard to administration and personnel title changes, reflect the increase in total membership of the City Council from five to seven elected officials, establish the Park Planning and Community Events Commission, and otherwise capture general language clean-up.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION I:

The Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378, because it involves an organizational and administrative activity of the City of Orange that will not result in direct or indirect physical changes in the environment.

SECTION II:

Section 2.04.060 of the Orange Municipal Code, “City Council - Meetings – Roll Call,” is hereby amended to read as follows:

2.04.060 – Roll Call.

Before proceeding with the business of the Council, the Director of City Clerk Services or Deputy City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

SECTION III:

Section 2.04.070 of the Orange Municipal Code, “City Council – Meetings – Quorum,” is hereby amended to read as follows:

2.04.070 – Quorum.

A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the presiding officer shall, at the insistence of any members present, compel the attendance of absent members.

SECTION IV:

Section 2.04.090 of the Orange Municipal Code, “City Council – Meetings- Presiding Officer May Debate and Vote,” is hereby amended to read as follows:

2.04.090 – Presiding Officer May Debate and Vote.

The Mayor or such other member of the Council as may be presiding may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Councilmember by reason of acting as the presiding officer.

SECTION V:

Section 2.04.110 of the Orange Municipal Code, “City Council – Meetings- Interruptions Not Permitted,” is hereby amended to read as follows:

2.04.110 – Interruptions Not Permitted.

A member, once recognized, shall not be interrupted when speaking unless it is to call them to order, or as otherwise provided in this chapter. If a member, while speaking, is called to order, they shall cease speaking until the question of order is determined, and, if in order, they shall be permitted to proceed.

SECTION VI:

Section 2.04.120 of the Orange Municipal Code, “City Council - Meetings – Privilege of Closing Debate,” is hereby amended to read as follows:

2.04.120 – Privilege of Closing Debate.

The Councilmember moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

SECTION VII:

Section 2.04.140 of the Orange Municipal Code, “City Council - Meetings – Remarks of Councilman – When Entered in Minutes,” is hereby amended to read as follows:

2.04.140 - Remarks of Councilmember– When Entered in Minutes

A Councilmember may request, through the presiding officer, the privilege of having an abstract of their statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

SECTION VIII.

Section 2.04.190 of the Orange Municipal Code, “City Council - Meetings – Addressing the Council-Manner-Time Limit,” is hereby amended to read as follows:

2.04.190 – Addressing the Council-Manner-Time Limit.

Each person addressing the Council shall step up (to the microphone), shall give their name and address in an audible tone of voice for the records, and unless further time is granted by the Council, shall limit their address to two minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council, and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer. No question shall be asked a Councilmember except through the presiding officer.

SECTION IX.

Section 2.04.200 of the Orange Municipal Code, “City Council - Meetings – Silence Constitutes Affirmative Vote,” is hereby amended to read as follows:

2.04.200 – Silence Constitutes Affirmative Vote.

Unless a member of the Council states that they are not voting, their silence shall be recorded as an affirmative vote.

SECTION X.

Section 2.04.230 of the Orange Municipal Code, “City Council - Meetings – Persons Authorized to be Within Rail,” is hereby amended to read as follows:

2.04.230 – Persons Authorized to Approach the Dais.

No person except City officials and their representatives shall be permitted to approach the dais without the express consent of the Council.

SECTION XI:

Section 2.04.240 of the Orange Municipal Code, “City Council – Meetings – Filing Protest Against Council Action,” is hereby amended to read as follows:

2.04.240 – Filing Protest Against Council Action.

Any member shall have the right to have the reasons for their dissent from, or protest against, any action of the Council entered on the minutes.

SECTION XII:

Section 2.20.010 of the Orange Municipal Code, “Administrative Service – Departmental Organization,” is hereby amended to read as follows:

2.20.010 – Departmental Organization.

The Administrative Service of the City shall be divided under the Administrator into the following departments and heads thereof:

Department of Law	City Attorney
Department of Treasury	City Treasurer
Department of City Clerk Services	Director of City Clerk Services
Department of Police	Chief of Police
Department of Fire	Fire Chief
Department of Public Works	Director of Public Works
Department of Community Services	Director of Community Services
Department of Library	Director of Library Services
Department of Community Development	Director of Community Development
Department of Finance	Director of Finance
Department of Human Resources	Director of Human Resources

SECTION XIII:

Section 2.20.020 of the Orange Municipal Code, “Administrative Service – Bonds,” is hereby deleted in its entirety, and shall be titled “Reserved.”

2.20.020 –Reserved.

SECTION XIV:

Chapter 2.28 of the Orange Municipal Code, “Department of Records,” is hereby amended to read as follows:

2.28.010 - Members.

The Department of Records shall consist of an elected City Clerk and a Director of City Clerk Services, along with other supporting staff.

2.28.020 - City Clerk—Generally.

- A. The City Clerk shall perform those functions required by State law.
- B. The City Clerk shall receive as compensation the sum of \$365.00 per month.
- C. The City Clerk may, pursuant to State law, appoint a Deputy City Clerk. The Deputy City Clerk shall receive such compensation and expense allowance as the City Council shall from time to time determine, and said compensation and expenses shall be a proper charge against such fund of the City as the City Council shall designate.

2.28.030 - Director of City Clerk Services—Appointment Duties.

- A. The Director of City Clerk Services shall be appointed by the City Manager.

2.28.040 - Director of City Clerk Services—Removal.

A. The Director of City Clerk Services shall serve at the pleasure of the City Manager. Unless otherwise provided for by law, the Director of City Clerk Services may be removed at any time, with or without cause, at the sole discretion of the City Manager.

2.28.050 - Director of City Clerk Services—Compensation.

The Director of City Clerk Services shall receive such compensation and expense allowance as the City Council shall from time to time determine, and said compensation and expenses shall be a proper charge against such funds of the City as the City Council shall designate.

SECTION XV:

Section 2.30.010 of the Orange Municipal Code, “Department of Police – Chief of Police-Duties,” is hereby amended to read as follows:

2.20.010 – Chief of Police – Duties.

The Chief of Police shall manage the affairs of the Police Department. The Chief of Police will be responsible for the maintenance of law and order within the City in accordance with existing law, statute and/or resolution.

SECTION XVI:

Section 2.34.010 of the Orange Municipal Code, “Department of Public Works,” is hereby amended to read as follows:

2.34.010 - Director—Duties.

The Director of Public Works shall be responsible for all matters relating to construction, management, maintenance and operation of the physical properties of the City and all administrative and field activities related to the City's water system, and such other related duties as shall be required by law, ordinance or the City Manager. The functions of the department shall include, but not be limited to:

- A. Engineering;
- B. Street maintenance;
- C. Public works contracts;
- D. Traffic engineering and services;
- E. Real Property services;
- F. Sanitation services.
- G. Water services.
- H. Vehicle Maintenance.

SECTION XVII:

Section 2.38.010 of the Orange Municipal Code, “Department of Community Services—Director-Duties,” is hereby amended to read as follows:

2.38.010 – Director- Duties.

The Director of Community Services shall be responsible for all matters relating to public recreation, park planning, park development and social services. The Director of Community Services shall evaluate present and future needs for services, recommend policy, direct and participate in the preparation of department budget and reports.

SECTION XVIII:

Chapter 2.40 of the Orange Municipal Code is hereby amended to read as follows:

Chapter 2.40 - LIBRARY SERVICES DEPARTMENT

2.40.010 – Director-Duties.

The Library Services Director shall be responsible for all matters relating to library services. The Library Services Director shall evaluate present and future needs for services, recommend policy, direct and participate in the preparation and administration of the library budget, and prepare other reports as required.

SECTION XIX:

Chapter 2.48 of the Orange Municipal Code is hereby amended to read as follows:

Chapter 2.48 – HUMAN RESOURCES DEPARTMENT

2.48.010 -Human Resources Director—Duties.

The Human Resources Director, at the direction of the City Manager, is responsible for all matters relating to: human resources administration, recruitment, selection, and retention of a qualified workforce, benefits administration, employee records retention, job analysis and classification, compensation, contract labor negotiations and administration, employee relations, performance management, employee training and development, and comprehensive human resources programs, in compliance with Federal and State employment laws.

SECTION XX:

Chapter 2.60 of the Orange Municipal Code is hereby amended to read as follows:

Chapter 2.60 - PARK PLANNING AND COMMUNITY EVENTS COMMISSION

2.60.010 - Established.

There is established in the City a Park Planning and Community Events Commission consisting of seven members, to further the following goals:

- A. Implement park and trail planning, design and development policies as outlined in the Master Plan of Parks and Master Plan of Recreation Trails;
- B. Act in an advisory capacity to the City Council for matters pertaining to City-sponsored community events;
- C. Develop and implement strategies to solicit community and special interest groups' regular input regarding park planning and community events;
- D. Review park conceptual designs prior to development and receive public input;

- E. Review existing parks for possible renovation and use, and receive public input; and
- F. Encourage and support relationships with volunteer and non-profit organizations, and public and private agencies, regarding parks, facilities, open space, and community events.

2.60.020 - Powers and Duties.

The Commission shall have the following powers and duties:

- A. Advise and make recommendations concerning the implementation of the City's Master Plan of Parks;
- B. Advise and recommend to the City Council the acquisition of new park land;
- C. Advise and recommend to the City Council the conceptual design of new park land;
- D. Advise and recommend to the City Council the allocation of new park land between passive and active parks;
- E. Advise and recommend to the City Council the renovation of current park land;
- F. Advise and recommend to the City Council on matter pertaining to City-sponsored community events; and
- G. Perform such other duties as may be prescribed by the City Council.

2.60.030 - Appointments and Terms.

Members of the Park Planning and Community Events Commission shall be appointed by the Mayor, subject to the advice and consent of the City Council. The term of office for each member of the Commission shall be four years and thereafter until a successor for the member whose term is expiring has been appointed.

2.60.040 - Election of Officers.

The Commission shall elect at its first meeting of the calendar year, from its members, a chairman and a vice chairman. The terms of office for these officers shall be one year.

2.60.050 - Regular Meetings.

The Commission shall meet in regular session on dates and at times to be determined from time to time by resolution of the City Council. All meetings shall be open to the public, and provisions of the Brown Act shall apply.

2.60.060 - Special Meetings.

A special meeting may be called by the Chairman or upon written request of at least four members.

2.60.070 - Quorum—Voting.

A majority of at least four members shall constitute a quorum. A majority vote of the members present shall be required to carry a motion or other procedure governing the operation of the Commission; provided, however, that all recommendations to the City Council must have the approval of at least four members.

2.60.080 - Absence of Members.

Absence from three consecutive meetings without formal notice to the Commission will be deemed to constitute the resignation of such member, and the position declared vacant.

2.60.090 - Action by Members—Authority Required.

No member shall take any action or make any statement committing the Commission unless given express authority to do so by a majority vote of the Commission's entire seven members.

2.60.100 - Communications from the Commission.

- A. All recommendations of the Commission to the City Council for its consideration and action shall be transmitted in writing.
- B. All other written communications from the Commission shall be sent with the signature of an officer of the Commission or the Secretary, if one is designated.

SECTION XXI:

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION XXII:

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

ADOPTED this _____ day of _____, 2021.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the ____ day of _____, 2021, and thereafter at the regular meeting of said City Council duly held on the ____ day of _____, 2021 was duly passed and adopted by the following vote, to wit:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange