

**MINUTES - FINAL**

**City of Orange**

**City Council**

November 09, 2021

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The City Council of the City of Orange, California convened on Tuesday, November 9, 2021, at 5:02 p.m. in a Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

**5:00 PM CLOSED SESSION**

**1. ROLL CALL**

**Present:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Absent:** None

**2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

None

**3. RECESS TO CLOSED SESSION**

The City Council recessed to Closed Session at 5:03 p.m. with all Members present to discuss the following:

**a. PUBLIC EMPLOYEE APPOINTMENT**

Pursuant to Government Code Section 54957(b)

Title: City Manager

**b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

Name of Case: Professional Towing, LLC, dba Alberto's Towing, LLC v. The City of Orange, et al.

Orange County Superior Court Case No. 30-2021-01220161

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

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

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

**c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2).  
(One case)

**4. CLOSED SESSION REPORT**

None

## 5. ADJOURNMENT

Closed Session was adjourned at 6:20 p.m.

### 6:00 PM REGULAR SESSION

## 1. OPENING/CALL TO ORDER

Mayor Murphy called the meeting to order at 6:29 p.m.

### 1.1 INVOCATION

Given by Fr. Neil Edlin from St. Mary Magdalene Church.

### 1.2 PLEDGE OF ALLEGIANCE

Led by Mayor pro tem Kimberlee Nichols.

### 1.3 ROLL CALL

**Present:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Absent:** None

### 1.4 PRESENTATIONS/ANNOUNCEMENTS

Proclamation recognizing the 50th Anniversary of 1971 14U Orange Pony World Series Champions.

Introduction to Orange County Power Authority.

Presentation to Human Resources Director Monica Espinoza recognizing her as the recipient of the 2021 CalPERS Spotlight on Excellence Award.

Mayor Murphy announced the Veterans Day Tribute will be on November 11 at 2:00 p.m. at the Veterans Memorial at Depot Park and the Field of Valor will continue to be displayed until November 13 at Handy Park. Mayor pro tem Nichols announced the City's annual Tree Lighting Ceremony and Candlelight Choir Procession will be on December 5 in the Old Towne Orange Plaza.

## 2. PUBLIC COMMENTS

### Public Speakers

The following people expressed concerns with the impacts of homelessness issues at El Camino Real Park:

Bob Birschbach, William Hagen, Kimberly Bottomley, Richard Hubbard, Linda LaRosa, Mary-Alice Perez, Scott Bottomley, John Glodt, Ian Mackins, and Mukai Burrowes.

Carole Walters welcomed interim City Manager Tom Hatch and requested a time frame for the completion of the work at Tustin and Walnut.

The following people spoke in support of Mary's Kitchen:

Mark Whisenant, Patrick Hogan, Nancy VanValkenburgh, Araceli Flure, Amy Tamayose, and Glen Vigil.

Emma Haas requested updates regarding the construction of Well 28 on Lemon St.

Eva Bernal spoke about the Christian based organization Victory Outreach and its desire to partner with the City of Orange to assist with the issues at El Camino Real Park.

David Carnahan spoke about his experience with the Victory Outreach program.

Laura Arroyo spoke about her experience with the Victory Outreach program.

#### Written Public Comment

Janice Brownfield emailed regarding the City Council's need to address the climate crisis.

### **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 October 8, 14, 22, and 28, 2021.**

ACTION: Approved.

#### **3.3. Approval of meeting minutes of the City Council of the City of Orange for the October 13, 2021, Adjourned Regular Meeting.**

ACTION: Approved minutes as presented.

#### **3.4. Agreement with the State of California Department of Alcoholic Beverage Control for the Alcoholic Beverage Control/Office of Traffic Safety Grant Program from October 1, 2021 through August 31, 2022. Resolution No. 11361.**

ACTION: 1) Approved agreement with the State of California, Department of Alcoholic Beverage Control in the amount of \$20,000 for the Alcoholic Beverage Control/Office of Traffic Safety Grant Program and authorized the City Manager to execute on behalf of the City; 2) Adopted Resolution No. 11361 entitled: A Resolution of the City Council of the City of Orange authorizing the Orange Police Department to accept a \$20,000 ABC-OTS Grant from the Department of Alcohol Beverage Control and authorizing the City Manager to execute all grant documents on behalf of the City; 3) Accepted into the City's revenue budget a \$20,000 grant from the State of California, Department of Alcoholic Beverage Control, into revenue account number 100.4033.45495.30187, ABC-OTS 21-22; and 4) Authorized the appropriation of \$20,000 into expenditure account number 100.4033.50221.30187, Overtime-Safety ABC-OTS Grant 21-22.

**3.5. Agreement with Raftelis Financial Consultants for preparing the Water and Sanitation Rate Study.**

ACTION: Approved the agreement with Raftelis Financial Consultants in the amount of \$85,016 for the Water and Sanitation Rate Study; and authorized the Mayor and City Clerk to execute on behalf of the City.

**3.6. Agreement with Chandler Asset Management, Inc. for Investment Services for the City for Fiscal Years 2021-2022 through 2023-2024.**

ACTION: 1) Approved the three-year agreement, commencing November 15, 2021, with two optional one-year extensions, with Chandler Asset Management, Inc. in the total amount of \$270,000 (\$90,000 per year); and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the appropriation of \$60,000 from the General Fund unreserved fund balance (for fiscal year 2021-2022) to expenditure account number 100.1201.51670.0000.

**3.7. Agreement with Secoy Architects, Inc. for architectural design and construction support for Civic Center Weimer Room and Administration Lobby Remodel.**

ACTION: 1) Approved agreement with Secoy Architects, Inc. in the amount of \$58,492.50, representing an original amount of \$53,175 plus a 10% contingency of \$5,317.50 for Civic Center Weimer Room and Administration Lobby Remodel; and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the appropriation of \$320,000 from General Fund (500) to 500.5028.56020.20494 for both architectural design and construction phase of the Civic Center Weimer Room and Administration Lobby Remodel.

**3.8. Historic Property Preservation Agreements (Mills Act Contracts) for 26 qualified historic properties.**

ACTION: Approved 26 Mills Act Contracts between the City of Orange and the identified property owners for the preservation and rehabilitation of qualified historic properties; and authorized the Mayor and City Clerk to execute the contracts on behalf of the City.

**3.9. First Amendment to Agreement with Siemens Industry, Inc. for implementation of additional security access control and video camera management for the new Fire Station No. 1 and Headquarters.**

ACTION: 1) Approved amendment with Siemens Industry, Inc. in an amount of \$29,172.18 for additional implementation of security access control and video camera management; and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the appropriation of \$29,172.18 from the Capital Bond Proceeds unreserved fund balance to expenditure account number 553.5011.56020.20400, CIP - Building And Improvements-Fire Station No. 1.

**3.10. First Amendment to Permit Agreement with Los Angeles SMSA Limited Partnership, dba Verizon Wireless.**

ACTION: Approved First Amendment with Los Angeles SMSA Limited Partnership, dba Verizon Wireless; and authorized the Mayor and City Clerk to execute on behalf of the City.

**3.11. Addendum 3D to the existing Water Conservation Participation Agreement with the Municipal Water District of Orange County (MWDOC) for implementation of the Dedicated Irrigation Meters Measurement Program.**

ACTION: 1) Approved Addendum 3D to the existing Water Conservation Participation Agreement with Municipal Water District of Orange County (MWDOC) for implementation of the Dedicated Irrigation Meters Measurement Program and authorized the Public Works Director to execute on behalf of the City; and 2) Authorized the appropriation of \$95,444.88 from the Water Fund unreserved fund balance to expenditure account number 600.8011.53441.00000, Water Fund - Water Conservation Items.

**3.12. Participation in a one-time Intergovernmental Transfer with the California Department of Health Care Services and Cal Optima.**

ACTION: 1) Approved agreements with the California Department of Health Care Services and Cal Optima in the amount of \$487,146, representing \$405,955 in unreimbursed Medicare revenue plus an \$81,191 assessment fee, for a one-time Intergovernmental Transfer; and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the transfer of \$ 487,146 of reimbursable funds to the California Department of Health Care Services.

**3.13. Appropriation of \$61,574.49 in State of California Office of Emergency Services funding received.**

ACTION: 1) Accepted into the City's revenue budget \$61,574.49 in strike team reimbursement funds from the California Office of Emergency Services (Cal-OES), into the following revenue account numbers for Cal-OES reimbursements:

\$ 14,336.87	100.3024.48212.40224 - Tick Fire
6,227.39	100.3024.48212.40226 - Getty Fire
27,550.62	100.3024.48212.40269 - Willow Fire
13,459.61	100.3024.48212.40270 - Tennant Fire

2) Authorized the appropriation of \$61,195.61 into the following expenditure account numbers for Overtime-Safety:

\$ 14,336.87	100.3024.50221.40224 - Tick Fire
6,227.39	100.3024.50221.40226 - Getty Fire
27,550.62	100.3024.50221.40269 - Willow Fire
13,080.73	100.3024.50221.40270 - Tennant Fire

3) Authorized the appropriation of \$378.88 into the following expenditure account number for Strike Team Expenditures:

\$ 378.88	100.3024.53860.40270 - Tennant Fire
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**3.14. Approval of plans and specifications for Annual Concrete Replacement, Fiscal Year 2021-2022; and authorization to advertise Bid No. 21-22.19.**

ACTION: 1) Approved plans and specifications and authorize advertising for bids for Annual Concrete Replacement, Fiscal Year 2021-2022, SP-4181; and 2) Authorized the appropriation of \$400,000 from Citywide TSIP unreserved fund balance to expenditure account number 287.5011.56330.13120, Citywide TSIP - Pavement Management Program.

**3.15. Claims for Damages.**

Note: Councilmember Monaco abstained due to a potential conflict with employment.

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

1. AAA a/s/o Kristyn Vonrotz
2. Jose A. Perez
3. Perry Rodriguez
4. Tomasa Cuevas Trujillo
5. Maria De Jesus Baez
6. Marcos Quinones
7. SoCal Gas
8. Michele Arico
9. Estate of Aden Uriostegui
10. Kathleen Uriostegui
11. Servando Uriostegui
12. Roberto J. Reyes

**3.16. Award of Contract to Calpromax Engineering, Inc. for Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022; Bid No. 21-22.09.**

Item 3.16 was removed from the Consent Calendar for separate consideration by Councilmember Dumitru.

Staff confirmed that the benches ordered for the bus shelters all have the anti-vagrant armrests.

ACTION: A motion was made by Councilmember Dumitru, seconded by Councilmember Monaco, to: 1) Authorize the appropriation of \$34,800 from Traffic Improvement-Measure M2 (263) unreserved fund balance to expenditure account number 263.5011.56330.30162, Citywide Bus Stop Enhancements at Various Locations, Fiscal Year 2021-2022; and 2) Award the contract to Calpromax Engineering, Inc. of Placentia, California in the total amount of \$133,100, representing an original amount of \$121,000, plus a 10% contingency of \$12,100, for Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022; and authorize the Mayor and City Clerk to execute on behalf of the City. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

**3.17. Award of Contract to CT&T Concrete Paving, Inc. for Community Development Block Grant Americans with Disabilities Act Wheelchair Access Ramps at Various Locations Project Fiscal Year 2021-2022; Bid No. 21-22.07.**

ACTION: 1) Authorized the transfer of \$70,000 from 310.9645.57130.11070 CDBG Contingency to 310.9645.56330.11328 FY22 CDBG American with Disabilities Act Improvements - Access Ramps; 2) Authorized the amendment of Memorandum of Understanding (AGR-6648.D) to increase the proposed project's funding by \$70,000, from \$68,430 to \$138,430; amended the Project Description to reflect the revised project scope; and authorized the City Manager to execute the amendment; and 3)

Awarded the contract to CT&T Concrete Paving, Inc. in the total amount of \$104,170, representing an original bid amount of \$94,700, plus a 10% contingency of \$9,470, for Community Development Block Grant Americans with Disabilities Act Wheelchair Access Ramps at Various Locations Project Fiscal Year 2021-2022; and authorized the Mayor and City Clerk to execute on behalf of the City.

**3.18. First Amendment to Contract with Diversified Thermal Services, Inc. for preventive maintenance for heating ventilation and air conditioning equipment at various City buildings, Bid No. 189-19 (SP-4076).**

ACTION: Approved the First Amendment to Contract with Diversified Thermal Services, Inc. for \$150,000; and authorized the Mayor and City Clerk to execute on behalf of the City.

**3.19. Second Reading and adoption of an Ordinance of the City Council of the City of Orange deleting Chapter 7.02 of the Orange Municipal Code (the Water Conservation and Water Supply Shortage Program) and adopting new Chapter 7.02 (the Water Shortage Contingency Response ordinance). Ordinance No. 16-21.**

Note: Councilmember Dumitru registered a no vote.

ACTION: Adopted Ordinance No. 16-21.

**3.20. Authorization to purchase signage, traffic control devices, roadway material, and vehicle parts and labor services for the Public Works Field Services Division.**

ACTION: 1) Approved purchase order for traffic control devices and signage with BC Traffic Specialists for \$60,000; 2) Approved purchase order for concrete material and delivery with Gary Bale Redi Mix for \$60,000; 3) Approved purchase order for parts and services with Cal-State Auto Parts for \$40,000; 4) Approved purchase order for parts and services with Fire Solutions Apparatus for \$60,000; and 5) Approved purchase order for parts and services with Pete's Road Service, Inc., a sole source vendor, for \$75,000.

**3.21. Authorization to purchase one vehicle for the Orange Fire Department, three motorcycles and seven vehicles for the Police Department, and four vehicles for the Public Works Department using a Cooperative Purchasing Agreement.**

Note: Mayor Murphy abstained due to a potential conflict with employment.

ACTION: 1) Approved the purchase of one Pierce Tiller Arrow XT Fire Truck for \$1,689,952 from South Coast Fire Equipment; 2) Approved the purchase of safety equipment and supplies needed to equip the Fire Apparatus from various lowest qualified vendors for \$480,000; 3) Approved the appropriation of \$2,169,952 from City Infrastructure Bond unreserved fund balance to expenditure account number 553.5023.55212.V2231, City Infrastructure Bond- Motor Vehicle Replacement; 4) Approved the purchase of three 2022 BMW motorcycles for \$85,710; 5) Approved the purchase of five 2022 Ford Explorers Police Pursuit Rated, one Ford Explorer K-9 Utility, and two 2022 Ford F-150 Trucks for \$433,442 from Villa Ford; and 6) Approved the purchase of two 2022 Ford Explorer and one 2022 Chevy Bolt for \$101,480 from National Auto Fleet Group.

**3.22. Authorization to purchase Fire Station 4 apparatus door replacement.**

ACTION: Approved purchase order for Fire Station 4 apparatus door replacement with Orange County Overhead Door Company for \$48,550.

**3.23. Authorization to purchase furniture, fixtures, and equipment and site furnishings totaling \$807,000 for the new Fire Headquarters and Station No. 1.**

ACTION: 1) Approved the purchase of furniture from Goforth & Marti dba G/M Business Interiors for a total of \$300,000; 2) Authorized the City Manager to execute contracts and purchase orders in excess of \$30,000 relating to the purchase and installation of furniture, fixtures and equipment and site furnishings from various vendors in the amount of \$507,000 for the new Fire Headquarters and Station No. 1; and 3) Authorized the appropriation of \$807,000 from the Capital Bond Proceeds unreserved fund balance to expenditure account 553.5011.56031.20400 - Capital Bond Proceeds - Fire Station No. 1 and Headquarters.

**3.24. Water rate pass-through notice for Calendar Year 2022.**

Item 3.24 was removed from the Consent Calendar for separate consideration by Councilmember Gutierrez.

In response to Council's question, staff confirmed that the information regarding the pass-through increase is available upon request in several different languages.

ACTION: A motion was made by Councilmember Gutierrez, seconded by Mayor pro tem Nichols, to receive and file. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

**3.25. Monthly Treasurer's Reports for July, August, and September 2021.**

ACTION: Received and filed.

**3.26. Classification, compensation, and terms of employment of Part-Time and Seasonal employees. Resolution No. 11359.**

ACTION: Adopted Resolution No. 11359 entitled: A Resolution of the City Council of the City of Orange relating to the classification, compensation, and terms of employment for Part-Time and Seasonal employees of the City of Orange effective July 1, 2021, through and including June 30, 2022, and repealing Resolution No. 11280 and amendments thereto.

**3.27. Adoption of Fiscal Year Ended June 30, 2021, Measure M2 Expenditure Report. Resolution No. 11360.**

ACTION: Adopted Resolution No. 11360 entitled: A Resolution of the City Council of the City of Orange concerning the Fiscal Year Ended June 30, 2021, Measure M2 Expenditure Report.

**3.28. Authorization to submit a pavement rehabilitation project application to the Orange County Transportation Authority for funding under Pavement Management Relief Funding Program. Resolution No. 11362.**

ACTION: Adopted Resolution No. 11362 entitled: A Resolution of the City Council of the City of Orange approving and authorizing the project list submittal for Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) funding through the Orange County Transportation Authority 2021 Pavement Management Relief funding program.

**3.29. Support for the Brand-Huang-Mendoza Tripartisan Land Use Initiative to repeal SB 9 and SB 10, and restore local control over zoning and land use decisions. Resolution No. 11363.**

Item 3.29 was removed from the Consent Calendar for separate consideration by Mayor pro tem Nichols and Councilmember Gutierrez.

Council indicated the item was removed from Consent to highlight how important the impacts of SB 9 and SB 10 are to the community. Council took a no position on both of those bills; however, it was signed by the Governor in September.

Motion made by Mayor pro tem Nichols and seconded by Councilmember Barrios to adopt Resolution No. 11363.

Council discussed amending the resolution to include the names of the state legislators, which represent Orange, who voted in favor for both of the senate bills.

Councilmember Barrios raised concerns about naming the Senators in the resolution.

Councilmember Tavoularis made a substitute motion to revise the Resolution to include the names of State Senator Dave Min and State Senator Tom Umberg as voting in favor of SB 9 and SB 10 against the wishes of constituents.

ACTION: A motion was made by Councilmember Tavoularis, seconded by Councilmember Monaco, to adopt amended Resolution No. 11363 entitled: A Resolution of the City Council of the City of Orange Expressing Support for the Brand-Huang-Mendoza Tripartisan Land Use Initiative to Amend Article XI of the Constitution of the State of California to Make Zoning and Land Use Community Affairs, and Not of State Interest. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Dumitru, Tavoularis, and Murphy

**Noes:** Barrios, and Gutierrez

**Absent:** None

**3.30. Support for Federal PFAS Legislation to protect ratepayers and water agencies. Resolution No. 11364.**

Item 3.30 was removed from the Consent Calendar for separate consideration by Mayor pro tem Nichols.

At Council's request, staff briefly provided an overview of the water quality issue affecting north county. Staff reiterated that the City is not serving water that is impacted

by the PFAS regulation. The affected wells have been shut off, and water is being imported through the Municipal Water District of Orange County.

ACTION: A motion was made by Mayor pro tem Nichols, seconded by Councilmember Barrios, to adopt Resolution No. 11364 entitled: A Resolution of the City Council of the City of Orange expressing support for Federal PFAS Legislation protecting ratepayers and water and wastewater agencies. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

### **Approval of the Consent Calendar**

Councilmember Monaco abstained on Item 3.15. Councilmember Dumitru registered a no vote on Item 3.19. Mayor Murphy abstained on Item 3.21. Items 3.16, 3.24, 3.29, and 3.30 were removed from the Consent Calendar and heard separately. All other items were approved as recommended.

A motion was made by Mayor pro tem Nichols, seconded by Councilmember Barrios, to approve the Consent Calendar as recommended. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

### **END OF CONSENT CALENDAR**

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RECESS: The City Council recessed at 8:22 p.m. and reconvened at 8:35 p.m. with all Members present.

#### **4. REPORTS FROM MAYOR MURPHY**

None

#### **5. REPORTS FROM COUNCILMEMBERS**

An opportunity for Councilmembers to make a brief announcement, report, or request. No action(s) will be taken pursuant to Government Code Section 54954.2(3).

##### **5.1. Highlight Local Business (Gutierrez & Barrios)**

Councilmember Gutierrez highlighted the following local business: D&H Sewing Vacuum and Home Center. Councilmember Barrios highlighted the following local business: American Legion Post 132.

Councilmember Monaco mentioned Chamber of Commerce member CKL&H Attorneys at Law recently held their ribbon cutting ceremony. He also highlighted Chamber member and local business Wheel Warehouse.

##### **5.2. Parking Permit Application Process (Barrios)**

Councilmember Barrios requested a review of the Parking Permit Application process be placed on a future agenda.

**5.3. Update on Sully Miller Property (Barrios)**

Councilmember Barrios requested an update on the Sully Miller site be provided to Council in January. Mayor pro tem Nichols reported that she has been checking in periodically with staff since she requested an update in January 2021; however, the issue with the LEA (local enforcement agency) has not been resolved. Staff was directed to bring back an update once there is conclusion with the LEA.

**6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS**

None

**7. ADMINISTRATIVE REPORTS**

None

**8. REPORTS FROM CITY MANAGER**

None

**9. LEGAL AFFAIRS**

- 9.1. Approval of the Orange Police Department's recommendation not to award a Towing and Storage Services Agreement to Alberto's Towing based upon its failure to meet the requirements and standards set forth in the Request for Proposal No. 20-21.39 dated March 4, 2021.**

Public Speakers

MaryAnn Cazzell, representing Alberto's Towing, spoke in support of awarding a Towing and Storage Services Agreement to her client.

Alberto Castellanos spoke in support of his towing company being awarded a Towing and Storage Services agreement.

Ray Hassan, South Side Towing, felt that Alberto's Towing did not meet the requirements of the RFP.

During discussion, staff described the rating process and summarized the categories evaluated during the process.

A motion was made by Councilmember Monaco, seconded by Councilmember Dumitru, approve the Orange Police Department's recommendation not to award a Towing and Storage Services Agreement to Alberto's Towing based upon its failure to meet the requirements and standards set forth in the Request for Proposal No. 20-21.39 dated March 4, 2021, as detailed in the staff report. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

**10. PUBLIC HEARINGS****10.1. Continued Public Hearing to consider an ordinance amending Titles 16 and 17 of the Orange Municipal Code to establish development standards and streamlined subdivision and entitlement procedures for small lot subdivisions in multi-family residential and neighborhood mixed use zones. (Continued from September 14, 2021)**

Assistant Community Development Director Anna Pehoushek provided the staff report. She explained that SB 9 or SB10 do not apply to this proposed ordinance.

During discussion, Councilmember Gutierrez commented that she could not support the proposed ordinance because of the uncertainty with SB 9 and SB 10. Councilmember Barrios explained she could not support the ordinance because there were no specific provisions for the historic district.

A motion was made by Councilmember Tavoularis, seconded by Mayor Murphy, to: 1) Introduce and conduct First Reading of Ordinance No. 15-21 entitled: An Ordinance of the City Council of the City of Orange amending Title 16 and Title 17 of the Orange Municipal Code relating to regulation of small lot subdivisions; and 2) Adopt Resolution No. 11354 entitled: A Resolution of the City Council of the City of Orange approving Small Lot Subdivision Guidelines. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Dumitru, Tavoularis, and Murphy

**Noes:** Barrios, and Gutierrez

**Absent:** None

**11. ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:39 p.m. to an Adjourned Regular meeting on Tuesday, November 30, 2021 at 5:30 p.m. for Closed Session.

The next Regular City Council meeting will be held on Tuesday, December 14, 2021, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m., if necessary.

s/Pamela Coleman  
PAMELA COLEMAN  
CITY CLERK

s/Mark A. Murphy  
MARK A. MURPHY  
MAYOR