



AGENDA

City Council October 13, 2021

Bonnie Hagan
Acting City Manager

Gary A. Sheatz
City Attorney

Pamela Coleman
City Clerk

Adjourned Regular Meeting 4:00 PM Employee Recognition 4:15 PM Closed Session 6:00 PM Regular Session

City Council Chamber
300 E. Chapman Avenue
Orange, CA 92866

MARK A. MURPHY
Mayor

KIMBERLEE NICHOLS
Mayor pro tem

CHIP MONACO
Councilmember

ARIANNA BARRIOS
Councilmember, District 1

JON DUMITRU
Councilmember, District 2

KATHY TAVOULARIS
Councilmember, District 3

ANA GUTIERREZ
Councilmember, District 5

The City of Orange City Council welcomes you to this meeting and encourages your participation. Regular City Council meetings are held on the second Tuesday of each month at 6:00 p.m.

Agenda Information

The agenda contains a brief general description of each item to be considered. The City Council may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda. The agenda and supporting documentation is available after 4:00 p.m. on the Thursday prior to the Council meeting on the City's website at www.cityoforange.org, at the City Clerk's Office located at 300 E. Chapman Avenue, and at the Main Public Library located at 407 E. Chapman Avenue. Written materials relating to an item on the agenda that are provided to the City Council after agenda packet distribution and within 72 hours before it is to consider the item will be made available for public inspection in the City Clerk's Office during normal business hours; at the City Council meeting; and made available on the City's website.

Public Participation

Regular meetings are televised live on Spectrum Cable Channel 3 and AT&T U-verse Channel 99, and streamed live and on-demand on the City's website at www.cityoforange.org.

Pursuant to Government Code Section 54954.3, members of the public may address the City Council on any agenda item before or during Council's consideration of the item, and on any other matters within the City Council's jurisdiction by using any of the following methods:

1) In-Person

To speak on an item on the agenda, complete a speaker card indicating your name and address, and identifying the agenda item number or subject matter you wish to address. The card should be given to the City Clerk prior to the start of the meeting. General comments are received during the "Public Comments" section at the beginning of the Regular Session. No action may be taken on off-agenda items unless authorized by law. Public Comments are limited to three (3) minutes per speaker unless a different time limit is announced. It is requested that you state your name for the record, then proceed to address the City Council. All speakers shall observe civility, decorum, and good behavior. (continued on page 2)

2) Written Public Comments via email or eComment

Members of the public can submit their written comments electronically for City Council consideration by emailing them to CCpubliccomment@cityoforange.org with the subject line "Public Comment Item # (insert the item number relevant to the comment)" or "Public Comment Non-agenda Item" for general public comments. The public can also submit written comments on the City's eComment page. Please visit the City's website at www.cityoforange.org, click Current City Council Agenda, then click the eComment link for this meeting. To ensure distribution to the City Council prior to consideration of the agenda, we encourage the public to submit comments by 3:00 p.m. the day of the meeting. All public comments will be provided to the Council, posted on the City's website, and compiled as part of the record.

3) Public Comments via recorded voicemail message

Finally, the public can record their comments by calling (714) 744-2234 no later than 5:00 p.m. the day of the meeting. Recorded messages will not be played at the meeting, but will be provided to the Council and the caller's position will be summarized in the minutes.

In accordance with Ordinance No. 10-01, any person making personal, impertinent, slanderous or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the Mayor. If such conduct continues, the Mayor may order the person barred from addressing the City Council further during that meeting, unless permission to continue is granted by a majority vote of the Council.

Please contact the City Clerk's Office at (714) 744-5500 with any questions.

ADA Requirements: In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, please contact the City Clerk's office at (714) 744-5500. Notification at least 48 hours in advance of meeting will enable the City to make arrangements to assure accessibility to this meeting.

REMINDER: Please silence all electronic devices while City Council is in session.

4:00 PM EMPLOYEE RECOGNITION

1. ROLL CALL

2. EMPLOYEE SERVICE AWARDS

3. RECESS

City Council will recess to Closed Session.

4:15 PM CLOSED SESSION**1. ROLL CALL****2. PUBLIC COMMENTS**

At this time, members of the public may address the Council on any Closed Session items only. Public Comments are limited to three (3) minutes per speaker.

3. RECESS TO CLOSED SESSION**a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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

Pursuant to Government Code Section 54956.9(a) & (d)(1)
Name of Case: Paula Acken, et al. v. City of Orange
Orange County Superior Court Case No. 30-2021-01207319

b. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code Section 54957(b)
Title: City Manager

4. CLOSED SESSION REPORT**5. ADJOURNMENT**

The City Council will adjourn to the 6:00 p.m. Regular Session in the Council Chamber.

6:00 PM REGULAR SESSION**1. OPENING****1.1 INVOCATION**

Pastor Tim Klinkenberg, St. John's Lutheran Church of Orange

1.2 PLEDGE OF ALLEGIANCE

Mayor Mark A. Murphy

1.3 ROLL CALL**1.4 PRESENTATIONS/ ANNOUNCEMENTS**

Presentation of Centennial History Book by Rotary Club of Orange

Proclamation recognizing Michael Alvarez

Proclamation recognizing 2020 Tokyo Olympian Jack Williams - Archery

Proclamation recognizing 2020 Tokyo Olympian Phillip Chew - Badminton

Proclamation recognizing 2020 Tokyo Olympian Ryan Chew - Badminton

Proclamation recognizing 2020 Tokyo Olympian Sakura Kokumai - Karate

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

Recognition of 2021 9U Olive Pony World Series Champions

Presentation of Orange County proclamation recognizing Hispanic Heritage month

2. PUBLIC COMMENTS

At this time, members of the public may address the Council on matters not listed on the agenda within the subject matter jurisdiction of the City Council, provided that NO action may be taken on off-agenda items unless authorized by law. Public Comments are limited to three (3) minutes per speaker.

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.**Recommended Action:**

Approve.

Attachments: [Staff Report](#)

3.2. Confirmation of warrant registers dated September 2, 10, 16, 24, and 30, 2021.**Recommended Action:**

Approve.

Attachments: [Staff Report](#)

3.3. Approval of meeting minutes of the City Council of the City of Orange for the September 14, 2021, Regular Meeting.**Recommended Action:**

Approve minutes as presented.

Attachments: [Staff Report](#)
 [September 14, 2021, Regular Meeting minutes](#)

3.4. Agreement with VCI Event Technology for audio, lighting, electrical, and staging services at the Tree Lighting Ceremony and Candlelight Choir Procession and the Third of July Celebration, and appropriation of \$41,000 in unreserved General Fund to support Fiscal Year 2021-2022 City special event expenses.**Recommended Action:**

1. Approve agreement with VCI Event Technology in the amount not to exceed \$452,589.67 for audio, lighting, electrical, and staging services; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$41,000 in General Fund unreserved fund balance into expenditure account number 100.7015.51780.00000 Other Contractual Services.

Attachments: [Staff Report](#)
 [Entertainment Services Agreement - VCI Event Technology](#)

3.5. Third Amendment to the Water Supply and Service Agreement with Irvine Ranch Water District.**Recommended Action:**

Approve Third Amendment to the Water Supply and Service Agreement with Irvine Ranch Water District; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Third Amendment to Water Supply and Service Agreement](#)
 [Vicinity Map](#)

3.6. First Amendment to Professional Services Agreement with CSG Consultants, Inc. for building inspection services.**Recommended Action:**

Approve First Amendment with CSG Consultants, Inc. to increase the not-to-exceed amount by \$30,000 (total not-to-exceed \$60,000), for building inspection services; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [First Amendment to Agreement with CSG Consultants, Inc.](#)

3.7. Second Amendment to Agreement with Axon Enterprise, Inc. for body worn cameras.

Recommended Action:

1. Approve amendment with Axon Enterprise, Inc. for 34 body worn cameras and equipment in an amount not to exceed \$96,099.26; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$84,579.83 from the Computer Replacement (790) unreserved fund balance into expenditure account number 790.4011.56032.20337 Computer Replacement - Mobile Audio Video and Body Worn Cameras.

Attachments: [Staff Report](#)
 [Second Amendment Agreement with Axon](#)
 [CPA No. 151089](#)

3.8. First Amendment to Attorney Services Agreement with Everett Dorey LLP to provide legal services, including representation and defense of the City, relative to the termination of the License Agreement with Mary’s Kitchen.

Recommended Action:

1. Approve a First Amendment to Attorney Services Agreement with Everett Dorey LLP in the amount of \$100,000; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$100,000 from the General Fund unreserved fund balance to expenditure account number 100.0301.51600.00000, General Fund - Legal Services.

Attachments: [Staff Report](#)
 [First Amendment to Attorney Services Agreement](#)

3.9. Appropriation of \$31,000 in Community Development Block Grant funds from the Coronavirus Aid, Relief, and Economic Security Act for the Homeless Outreach Program.

Recommended Action:

Authorize the appropriation of \$31,000 into the following expenditure accounts:

310.4011.51030.30180	Cellular Phones	\$2,000
310.4011.53030.30180	Uniforms	2,000
310.4011.55131.30180	Equipment	27,000
	Total	\$31,000

Attachments: [Staff Report](#)

- 3.10. Approval of plans and specifications for Prospect & Spring Right Turn Lane Modification Project; authorization to advertise Bid No. 21-22.12, SP-4131; and appropriate funds from various expenditure accounts.**

Recommended Action:

1. Approve plans and specifications and authorize advertising for bids for Prospect & Spring Right Turn Lane Modification Project.
2. Authorize the appropriation of \$409,000 from Unreserved Fund (287) to 287.5011.56330.20458 Prospect & Spring Right Turn Lane Modification.

Attachments: [Staff Report](#)
 [Location Map](#)

- 3.11. Appropriation of \$953.86 in Fiscal Year 2018-2019 and 2019-2020 redistributed Edward Byrne Memorial Justice Assistance Grant Program funds from the County of Orange.**

Recommended Action:

1. Accept into the City's revenue budget \$602.70 in Justice Assistance Grant funds from the County of Orange, into revenue account number 353.4011.45150.30129, Federal Grants - 2019 JAG.
2. Accept into the City's revenue budget \$351.16 in Justice Assistance Grant funds from the County of Orange, into revenue account number 353.4011.45150.30173, Federal Grants - 2020 JAG.
3. Authorize the appropriation of \$602.70 into expenditure account number 353.4011.55131.30129, Equipment - 2019 JAG.
4. Authorize the appropriation of \$351.16 into expenditure account number 353.4011.55131.30173, Equipment - 2020 JAG.

Attachments: [Staff Report](#)

- 3.12. Appropriation of \$231,864.43 in State of California Office of Emergency Services funding received.**

Recommended Action:

1. Accept into the City's revenue budget \$231,864.43 in strike team reimbursement funds from the California Office of Emergency Services (Cal-OES), into revenue account number 100.3024.48212.40242 - General Fund - Apple Fire.
2. Authorize the appropriation of \$231,288.08 into expenditure account number 100.3024.50221.40242 - General Fund - Apple Fire for Overtime-Safety.
3. Authorize the appropriation of \$576.35 into expenditure account number 100.3024.53860.40242 - General Fund - Apple Fire for Strike Team Expenditures.

Attachments: [Staff Report](#)

3.13. Appropriation of \$33,874 in designated grant funding received from California Library Literacy Services.

Recommended Action:

1. Accept into the City's revenue budget a \$33,874 grant from California Library Literacy Services, into revenue account number 100.2001.45290.30170, General Fund - California Library Literacy Services Grant.
2. Authorize the appropriation of \$33,874 to California Library Literacy Services Grant into the following expenditure account numbers:

\$12,000	100.2001.50312.30170	Part-time Misc. Salaries
<u>21,874</u>	100.2001.53001.30170	Materials and Supplies
\$33,874		

Attachments: [Staff Report](#)

3.14. Final Acceptance of Bid No. 20-21.43; SP-4161 Orange Police Department Evidence Freezer; and authorization to file Notice of Completion.

Recommended Action:

Accept Orange Police Department Evidence Freezer as complete and authorize staff to file Notice of Completion with the County Recorder.

Attachments: [Staff Report](#)
[Notice of Completion and Acceptance](#)

3.15. Approval of plans and specifications for Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022; and authorization to advertise Bid No. 21-22.09.

Recommended Action:

1. Approve plans and specifications and authorize advertising for bids for the Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022.
2. Approve the use of sole-source supplier, Tolar Manufacturing Company, of bus stop shelters and correlating street furniture for the Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022.

Attachments: [Staff Report](#)
[Location Map](#)

3.16. Approval of plans and specifications for Community Development Block Grant Fiscal Year 2021-2022 Beverly Neighborhood Street Rehabilitation Project and authorization to advertise Bid No. 21-22.11.

Recommended Action:

Approve plans and specifications and authorize advertising for bids for the Community Development Block Grant Fiscal Year 2021-2022 Beverly Neighborhood Street Rehabilitation Project; SP-4179.

Attachments: [Staff Report](#)
 [Location Map](#)

3.17. Approval of plans and specifications for SP-4130; Police Headquarters Atrium Rehabilitation and authorization to advertise Bid No. 21-22.13.

Recommended Action:

Approve the plans and specifications and authorize advertising for bids for SP-4130; Police Headquarters Atrium Rehabilitation.

Attachments: [Staff Report](#)
 [Location Map](#)

3.18. Final Acceptance of Bid No. 20-21.48; SP-4158, Annual Slurry Seal at Various Locations, FY 20-21; and authorization to file Notice of Completion.

Recommended Action:

Accept Bid No. 20-21.48; SP-4158, Annual Slurry Seal at Various locations FY 20-21 as complete and authorize staff to file Notice of Completion with the County Recorder.

Attachments: [Staff Report](#)
 [Notice of Completion and Acceptance.pdf](#)

3.19. Claims for Damages.

Recommended Action:

Deny the following claims and refer to City Attorney and Claims Adjuster:

1. David Daleo
2. Rhonda Vera Cruz
3. Emilio Casas Cortez
4. Alejandro Razo
5. Salvador Miramontes-Robles
6. Antonio Tereza-Salgado
7. Antonio Tereza-Vazquez
8. Steven Lewis

Attachments: [Staff Report](#)

3.20. Second Amendment to Contract with General Pump Company, Inc. for well maintenance and repair services.

Recommended Action:

Approve Second Amendment with General Pump Company, Inc. and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Second Amendment to Contract](#)

3.21. Authorize purchase of one vehicle for the Orange Fire Department and two vehicles for the Orange Police Department using a Cooperative Purchasing Agreement.

Recommended Action:

1. Authorize the purchase of one Pierce Enforcer Fire Apparatus in the amount of \$921,292.
2. Authorize the purchase of safety equipment and supplies needed to equip the Fire Apparatus from various lowest qualified vendors in the amount of \$220,000.
3. Authorize the replaced Fire Seagrave Pumper, 2003 Seagrave to be donated to Queretaro, Mexico.
4. Authorize the purchase of two 2022 mid-sized utility vehicles from National Auto Fleet Group in the amount of \$80,051.

Attachments: [Staff Report](#)
[Letter from Bomberos Queretaro](#)
[HGAC FS12-19 Bid](#)

3.22. Authorize purchase of two vehicles for the Orange Fire Department using a Cooperative Purchasing Agreement.

Recommended Action:

Authorize the purchase of two 2022 mid-sized utility vehicles from National Auto Fleet Group in the amount of \$154,887.

Attachments: [Staff Report](#)

3.23. Authorize purchase of five 800 Megahertz portable radios and associated equipment from Motorola Solutions.

Recommended Action:

Approve the purchase of five 800 Megahertz radios in an amount not to exceed \$43,000, from Motorola Solutions, through Orange County Price Book Agreement #MA-060-21010004.

Attachments: [Staff Report](#)
[Quote from Motorola Solutions](#)

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR MURPHY**5. REPORTS FROM COUNCILMEMBERS****5.1. Highlight Local Business (Gutierrez, Barrios)****6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS****6.1. Accept resignation of Steve Freeman from the Orange Public Library Board of Trustees.****Recommended Action:**

Accept the resignation of Trustee Member Steve Freeman effective October 19, 2021, and direct the City Clerk to post a Notice of Vacancy pursuant to the Maddy Act.

Attachments: [Staff Report](#)
 [Letter of resignation](#)

7. ADMINISTRATIVE REPORTS**7.1. Financial status update for Fiscal Years 2020-21 and 2021-22.****Recommended Action:****For Fiscal Year 2021-22:**

1. Authorize the appropriation of \$138,000 from the General Fund (100) unreserved fund balance to expenditure account number 100.4021.50001.00000.
2. Authorize the appropriation of \$29,163 from the General Fund (100) unreserved fund balance to expenditure account number 100.0401.50002.00000.
3. Authorize the appropriation of \$573,935 from the SB-2 Building Homes & Jobs Act (312) unreserved fund balance to expenditure account number 312.020152611.30138, Payments to Other Agencies - North SPA Navigation Centers.

For Fiscal Year 2020-21:

4. Authorize the appropriation of \$551,773 from the SB-2 Building Homes & Jobs Act (312) unreserved fund balance to expenditure account number 312.020152611.30138, Payments to Other Agencies - North SPA Navigation Centers.
5. Authorize the appropriation of \$95,965 from the Prop 172 (120) unreserved fund balance to expenditure account number 120.411.53670.12222, Other Maintenance Items - 800 MHZ.
6. Authorize the transfer of \$805,003.02 from the City Infrastructure Bond (553) account number 553.0000.57120.20400 to Merged 2008 Tax Exempt Bonds (954) account number 954.0000.49010.20400.

Attachments: [Staff Report](#)

7.2. Orange Plaza Paseo long-term plan and streetscape program.**Recommended Action:**Option 1 - Annual Seasonal Paseo

1. Approve agreement with The Arroyo Group in the amount of \$68,120 for preparation of the Orange Plaza Paseo Streetscape Design Study; and authorize the City Manager and City Clerk to execute on behalf of the City; and
2. Approve agreement with Dudek in the amount of \$146,886 for environmental services for the Orange Plaza Paseo; and authorize the City Manager and City Clerk to execute on behalf of the City; and
3. Authorize the transfer of \$215,006 from expenditure account 952.9810.56020.20247, City Trf: NW & SW Merged 2003 Taxable Bonds - SAORA Capital Projects, to expenditure account number 952.9810.51670.20492, City Trf: NW & SW Merged 2003 Taxable Bonds - Orange Plaza Paseo.

Option 2 -Design of "Parklets"

1. Approve agreement with The Arroyo Group in the amount not-to-exceed \$68,120 for preparation of the Orange Plaza Paseo Streetscape Design Study; and authorize the City Manager and City Clerk to execute on behalf of the City; and
2. Authorize the transfer of \$68,120 from expenditure account 952.9810.56020.20247, City Trf: NW & SW Merged 2003 Taxable Bonds - SAORA Capital Projects, to expenditure account number 952.9810.51670.20492, City Trf: NW & SW Merged 2003 Taxable Bonds - Orange Plaza Paseo.

Attachments: [Staff Report](#)
 [Proposals for Annual Seasonal Paseo](#)
 [Parklet Examples](#)

7.3. Employment Agreement with interim City Manager Thomas R. Hatch.**Recommended Action:**

Approve Employment Agreement with interim City Manager Thomas R. Hatch.

Attachments: [Staff Report](#)
 [Employment Agreement](#)

8. REPORTS FROM CITY MANAGER**8.1. Status of Senate Bill 9 and Senate Bill 10.****9. LEGAL AFFAIRS****10. PUBLIC HEARINGS**

10.1. Public Hearing to consider adopting the City of Orange 2020 Urban Water Management Plan (UWMP). Resolution No. 11357 and Ordinance No. 16-21.

Recommended Action:

1. Adopt Resolution No. 11357. A Resolution of the City Council of the City of Orange adopting the City of Orange 2020 Urban Water Management Plan and 2020 Water Shortage Contingency Plan.
2. Introduce and conduct First Reading of Ordinance No. 16-21. 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).

Attachments: [Staff Report](#)
[Resolution No. 11357](#)
[Ordinance No. 16-21](#)

10.2. Public Hearing to consider conduit tax-exempt bond financing for the Corp Yard Affordable Housing Project, Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing.

Recommended Action:

Adopt Resolution No. 11294. A Resolution of the City Council of the City of Orange approving the issuance by the California Municipal Finance Authority of multifamily housing revenue bonds for the affordable housing project located at 637 West Struck Avenue.

Attachments: [Staff Report](#)
[Resolution No. 11294](#)

The following item will begin no earlier than 7:00 PM.

10.3. Public Hearing to receive input from the community regarding the redrawing of Election District boundaries.

Recommended Action:

1. Receive and file the 2020 Census demographic data.
2. Solicit testimony regarding mandatory criteria and traditional criteria to be used for redistricting, adopt criteria for redistricting, and identify communities of interest.
3. Adopt criteria, including identifying communities of interest, for redistricting
4. Instruct the City's demographics consultant, National Demographics Corporation (NDC) to prepare draft district maps.

Attachments: [Staff Report](#)
[Summary of public input from August 25, 2021 community meeting](#)
[Draft maps of "Communities of Interest"](#)
[2020 Census Demographic Data and updated paper map kits](#)

11. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, November 9, 2021, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m. if necessary.

I, Jennifer Connally, CMC, Deputy City Clerk for the City of Orange, do hereby declare, under penalty of perjury, that a full and correct copy of this agenda was posted pursuant to Government Code Section 54950 et. seq., at the following locations: Orange Civic Center kiosk and Orange City Clerk's Office at 300 E. Chapman Avenue, Orange Main Public Library, 407 E. Chapman Avenue, Police facility at 1107 North Batavia Street, and uploaded to the City's website www.cityoforange.org.

Date posted: October 7, 2021