

Thomas R. Hatch Interim City Manager

Gary A. Sheatz City Attorney

Pamela Coleman City Clerk

AGENDA

City Council February 08, 2022

5:00 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.

COVID-19 NOTICE

In compliance with California Department of Public Health requirements, masks are required in any indoor space for everyone, regardless of vaccination status.

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.

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.

5:00 PM CLOSED SESSION

1. ROLL CALL

2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

3. RECESS TO CLOSED SESSION

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: Mary's Kitchen, et al. v. City of Orange United States District Court Case No. 8:21-cv-01483-JVS-KES

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/CALL TO ORDER

1.1 INVOCATION

Pastor Danny Kurimay, Bridge Community Church

1.2 PLEDGE OF ALLEGIANCE

Councilmember Jon Dumitru

1.3 ROLL CALL

1.4 PRESENTATIONS/ANNOUNCEMENTS

Proclamation honoring Lorenzo Ramirez and the 75th Anniversary of Mendez v. Westminister School District

Proclamation of Support for County Efforts to Combat Fentanyl

Orange County Housing Finance Trust Presentation

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 January 6, 14, 20, and 28, 2022.

Recommended Action:

Approve.

Attachments: Staff Report

3.3. Approval of meeting minutes of the City Council of the City of Orange for the January 11, 2022, Regular Meeting; and January 15, 2022, Adjourned Regular Meeting.

Recommended Action:

Approve minutes as presented.

Attachments: Staff Report

January 11, 2022, Regular Meeting minutes

January 15, 2022, Adjourned Regular Meeting minutes

3.4. Second Amendment to the Agreement with Lyons Security Services Inc., for additional park security services.

Recommended Action:

Approve the second amendment with Lyons Security Services Inc., for additional park security services in the amount not to exceed \$40,000.

Attachments: Staff Report

<u>Draft - Second Amendment - Lyons Security Services</u>

3.5. Authorize purchase of one Storage Area Network (SAN) for the Civic Center datacenter and related support services from Sidepath, Inc.

Recommended Action:

Approve the purchase of the Storage Area Network (SAN) and the accompanying five year service plan for the Civic Center datacenter from Sidepath, Inc., in the amount of \$176,738.

Attachments: Staff Report

QUOTE-SIDQ36910-01-Orange-SIDPROJECT34102-PowerStore

1000T (5Y Mission Critical Support).pdf

QUOTE-SIDQ36835-03-Orange-SIDPROJECT34027-CML SYS

7380-7381.pdf

3.6. Agreement with the County of Orange for Fiscal Year 2020-2021 Edward Byrne Memorial Justice Assistance Grant.

Recommended Action:

- 1. Approve the purchase of handguns from ProForce Law Enforcement for \$12,433.
- 2. Approve the agreement with the County of Orange in the amount of \$12,579 for Fiscal Year 2020-2021 Edward Byrne Memorial Justice Assistance Grant Program and authorize the City Manager to execute on behalf of the City.
- 3. Accept into the City's revenue budget a \$12,579 grant from the County of Orange, into revenue account number 353.4011.45150.30193, Federal Grants 2021 JAG.
- 4. Authorize the appropriation of \$12,579 into expenditure account number 353.4011.55131.30193, Equipment 2021 JAG.

Attachments: Staff Report

JAG MOU 15PBJA-21-GG-01188-JAGX

3.7. Agreement with Complete Paperless Solutions, LLC for Laserfiche annual maintenance and additional implementation of an electronic election candidate processing portal.

Recommended Action:

Approve the agreement with Complete Paperless Solutions, LLC in the amount of \$103,482.80 for Laserfiche support and additional modules, providing product updates and enhancements for 12 months, and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: Staff Report

Professional Services Agreement with Complete Paperless Solutions

3.8. Second Amendment to Master Agreement No. 7611 with Siemens Industry, Inc. for maintenance of surveillance cameras, hardware infrastructure, and the Genetec license supporting the City's existing Genetec security platform for the Metrolink Station.

Recommended Action:

Approve the agreement with Siemens Industry, Inc. in the total amount of \$46,206.35 for maintenance of surveillance cameras, hardware infrastructure, and the Genetec license; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: Staff Report

Second Amendment with Siemens Industry

3.9. Appropriation of \$118,181 in grant funding received for the 2021-2022 North Orange County Public Safety Collaborative Program.

Recommended Action:

- Accept into the City's revenue budget \$118,181 in grant funding from the Board of State and Community Corrections, into revenue account number 100.4011.45290.30189, General Fund - North Orange County Public Safety.
- 2. Authorize the appropriation of \$118,181 into the following expenditure accounts of the General Fund- North Orange County Public Safety:

	Total	\$118,181
100.7022.51700.30189	Contractual Services	40,000
100.5021.50222.30189	Overtime - Miscellaneous	38,181
100.4021.50221.30189	Overtime - Safety	40,000

Attachments: Staff Report

3.10. Appropriation of \$1,566,207.43 in State of California Office of Emergency

Services funding received.

Recommended Action:

- Accept into the City's revenue budget \$1,566,207.43 in strike team reimbursement funds from the California Office of Emergency Services (Cal-OES), into the revenue account numbers for Cal-OES reimbursements as specified in Section 6 of the staff report.
- 2. Authorize the appropriation of \$1,547,602.94 into the expenditure account numbers for Overtime-Safety as specified in Section 6 of the staff report.
- 3. Authorize the appropriation of \$18,604.49 into the expenditure account numbers for Strike Team Expenditures as specified in Section 6 of the staff report.

Attachments: Staff Report

3.11. Acceptance of 19 grant funded Wi-Fi hotspots with data plans, 13 Chromebook laptops, and 12 accessory kits for the Library's lending collection, valued at \$14,500, received from California State Library and Southern California Library Cooperative.

Recommended Action:

- 1. Accept into the City's revenue budget \$14,500 in grant funds from California State Library and Southern California Library Cooperative into revenue account number 100.2001.45290.30192, General Fund Home Connectivity Kit Project.
- Authorize the appropriation of \$14,500 in grant funds into expenditure account number 100.2004.55131.30192 - Furniture, Machinery, Equipment for General Fund - Home Connectivity Kit Project.

Attachments: Staff Report

3.12. Approval of plans and specifications for D-178; Tustin St., Katella Ave. & La Veta Ave. Water Quality Storm Drain Improvement project; and authorization to advertise Bid No. 21-22.27.

Recommended Action:

Approve plans and specifications and authorize advertising for bids for the Tustin St., Katella Ave. & La Veta Ave. Water Quality Storm Drain Improvement project.

Attachments: Staff Report

Location Maps

3.13. Approval of plans and specifications for Annual Pavement Maintenance at Various Locations, Fiscal Year 2021-2022; and authorization to advertise Bid No. 21-22.28, SP-4183.

Recommended Action:

Approve plans and specifications and authorize advertising for bids for Annual Pavement Maintenance at Various Locations, Fiscal Year 2021-2022.

Attachments: Staff Report

Location Maps.pdf

3.14. Approval of plans and specifications for Community Development Block Grant El Modena Branch Library Restroom Remodel, and authorization to advertise for bids.

Recommended Action:

Approve plans and specifications and authorize advertising for bids for El Modena Branch Library Restroom Remodel Project; Bid No. 21-22.26.

Attachments: Staff Report

Location Map

3.15. Claims for Damages.

Recommended Action:

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

- 1. Roman Martinez Barrera
- 2. Joseph & Corinne Conard
- 3. Holly Morales
- 4. Sonia Beatriz Costa
- 5. Ashley Kumar Saroya
- 6. Allstate a/s/o Chau Vu
- 7. Erika Betancourt

Attachments: Staff Report

3.16. Final Acceptance of Bid No. 20-21.36, Annual Sewer Line Replacement/Maintenance authorization file FΥ 20-21; and to Notice of Completion.

Recommended Action:

Accept Annual Sewer Line Replacement/Maintenance FY 20-21 project (S-244) as complete, and authorize staff to file Notice of Completion with the County Recorder.

Attachments: Staff Report

Notice of Completion and Acceptance

3.17. Sole source procurement and installation of three emergency vehicle preemption system units.

Recommended Action:

Authorize the sole source purchase and installation of three Opticom GPS Emergency Vehicle Preemption Systems from DDL Traffic, Inc. for an amount not to exceed \$33,350.

Attachments: Staff Report

Vicinity Map.pdf

DDL Traffic, Inc. Quote

Sole Source Letter from Global Traffic Technologies

3.18. Authorize purchase of landscape supplies from SiteOne Landscape Supply.

Recommended Action:

Approve a blanket purchase order of \$60,000 with SiteOne Landscape Supply.

Attachments: Staff Report

3.19. Authorize purchase of annual VMware support at both the Civic Center and Orange Police Department datacenters from Sidepath, Inc.

Recommended Action:

Approve the purchase of VMware annual support for both the Civic Center and Orange Police Department datacenters from Sidepath, Inc. in the amount of \$17,053.

Attachments: Staff Report

Quote from Sidepath for VMware Renewal

3.20. Monthly Treasurer's Reports for October, November, and December 2021.

Recommended Action:

Receive and file.

Attachments: Staff Report

Investment Report for October 2021
Investment Report for November 2021
Investment Report for December 2021

3.21. City Traffic Commission Activity Report for 2021

Recommended Action:

Receive and file.

Attachments: Staff Report

Activity Recap

3.22. Request to the Orange County Transportation Authority for a 24-month delay for Tustin Avenue/Rose Drive Corridor Regional Traffic Signal Synchronization Program Project. Resolution No. 11371.

Recommended Action:

Adopt Resolution No. 11371. A Resolution of the City Council of the City of Orange approving a request to pursue a project delay from the Orange County Transportation

Authority for the Tustin Avenue/Rose Drive Corridor - Project P Regional Traffic Signal Synchronization Program.

Attachments: Staff Report

Resolution No. 11371

3.23. Approval of temporary street closures for approved special events. Resolution No.11375.

Recommended Action:

- Adopt Resolution No.11375. A Resolution of the City Council of the City of Orange approving the temporary closure of sections of public streets for approved special events.
- Approve closure of municipal parking lots and temporary suspension of neighborhood permit parking restrictions for certain events and dates occurring in Fiscal Year 2022-2023.

Attachments: Staff Report

Resolution No. 11375

Map of Municipal Parking Lots

Map of Permit Parking Area A

Map of Permit Parking Area D & G

Site Sketch of South Orange Street at Assistance League Building

Letters of Request

3.24. Amendment to the Master Schedule of Fees and Charges to adjust the annual Paramedic Subscription Program fee. Resolution No. 11373.

Recommended Action:

Adopt Resolution No. 11373. A Resolution of the City Council of the City of Orange amending the Master Schedule of Fees and Charges to adjust the annual Paramedic Subscription fee.

Attachments: Staff Report

Resolution No. 11373

3.25. A Resolution of the City Council of the City of Orange amending Resolution No. 11278 between the City of Orange and the Water Division Employees' Association (WDEA), to replace Appendix A. Resolution No. 11374.

Recommended Action:

Adopt Resolution No.11374. A Resolution of the City Council of the City of Orange amending Resolution No. 11278 to reflect the correct monthly salaries in the January 2, 2022 salary table.

Attachments: Staff Report

Resolution No. 11374

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR MURPHY

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).

6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS

7. ADMINISTRATIVE REPORTS

7.1. Support of AB 1595 Allowing the Development of a State-Operated Veterans Cemetery in Orange County. Resolution No. 11372.

Recommended Action:

- Adopt Resolution No. 11372. A Resolution of the City Council of the City of Orange in support of AB 1595 allowing the development of a state-operated veterans cemetery in Orange County.
- 2. Authorize the Mayor to sign the letter of support for Assembly Bill 1595.

Attachments: Staff Report

Resolution No. 11372
AB 1595 Support Letter

7.2. An overview of the Code Compliance Division's operations

Recommended Action:

Receive and file.

Attachments: Staff Report

1.31.21 Code Enforcement Area Map 4 areas

7.3. Status of Fiscal Year 2021-22 budget and preliminary projections for Fiscal Year 2022-23 budget preparation.

Recommended Action:

Receive and file report, and approve in one motion the following:

- 1. Authorize the transfer of \$3,500,000 from the unreserved fund balance of the General Fund to the Pension Stabilization Reserve (760).
- 2. Authorize the transfer of \$7,000,000 from the unreserved fund balance of the General Fund to the Capital Projects Fund (500).
- 3. Authorize the transfer of \$4,800,000 from the unreserved fund balance of the General Fund to the Business Investment Fund (115).
- 4. Authorize the transfer of \$54,000 from the General Fund expenditure account number 100.4021.50002.00000 to expenditure account number 100.6032.50002.00000.
- 5. Authorize the appropriation of \$60,000 from the General Fund unreserved fund balance to expenditure account number 100.5013.51670.00000, Other Professional & Consulting Services.
- 6. Authorize the appropriation of \$150,000 from the unreserved fund balance of the Capital Project Fund (500) to expenditure account number 500.5032.56100.16302, Minor Traffic Devices.
- 7. Authorize the appropriation of \$35,000 from the Worker's Compensation Fund (730) unreserved fund balance to expenditure account number 730.0312.52232.00000, Worker's Compensation Premium.
- 8. Authorize the appropriation of \$65,000 from the Liability Fund (740) unreserved fund balance to expenditure account 740.0312.52011.00000, Public Liability Premium.
- 9. Authorize the appropriation of \$50,000 from the Liability Fund (740) unreserved fund balance to expenditure account 740.0312.52320.00000, Property Damage.
- 10. Authorize the appropriation of \$400,000 from the Liability Fund (740) unreserved fund balance to expenditure account 740.0312.52310.00000, Liability Claims Paid.
- 11. Accept in the City's revenue budget \$268,236 in funds from the American Rescue Plan.
- 12. Authorize the appropriation of \$268,236 into the following expenditure account numbers for salaries and benefits:

\$102,500 101.3099.50002.00000 \$165,736 101.4099.50002.00000

- 13. Adopt Resolution No. 11376, A Resolution of the City Council of the City of Orange Amending Resolution No. 11272 between the City of Orange and Orange Management Association to include the salary range for the new classification of Permit Supervisor, effective February 8, 2022.
- 14. Adopt Resolution No. 11377 amending the citywide salary schedule in accordance with the requirements of California Code of Regulations, Title 2, Section 570.5.
- 15. Authorize the following changes to the City's Schedule of Positions:
 - a. Reclassify the Assistant City Attorney/Risk Manager, Position 094-002, to

Senior Assistant Attorney in the City Attorney's office.

- b. Reinstate the Risk Manager position in the City Attorney's Office.
- c. Authorize the addition of an Administrative Analyst I position in the Fire Department.
- d. Transfer Police Code Enforcement Officer, Position 397-001, from the Police Department to the Community Development Department and reclassify to Code Compliance Officer.
- e. Reclassify Code Compliance Officer, Position 340-001, to Senior Code Compliance Officer in the Community Development Department.
- f. Reclassify Permit Technician to Permit Supervisor in the Public Works Department.

Attachments: Staff Report

General Fund - Mid Year Report Ending 12-31-21

Resolution No. 11376
Resolution No. 11377

8. REPORTS FROM CITY MANAGER

9. LEGAL AFFAIRS

9.1. Introduction and first reading of an Ordinance of the City Council of the City of Orange amending Title 2, Chapter 2.10 of the Orange Municipal Code by deleting Section 2.10.090 to eliminate the current prohibition against receiving contributions from candidate controlled committees. Ordinance No. 01-22.

Recommended Action:

Introduce and approve Ordinance No. 01-22.

Attachments: Staff Report

Ordinance No. 01-22 (Redlined)

10. PUBLIC HEARINGS

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

10.1. Public Hearing to Review Draft Focus District Maps and Public Maps.

Recommended Action:

- 1. Conduct a public hearing to review draft focus district maps and public maps.
- City Council may select a final map from the draft maps presented or direct modifications to any of the draft maps presented for future hearing and consideration.

Attachments: Staff Report

Initial and Revised Draft District Maps
Redistricting Public Outreach Update

Public Comments sent to the City Manager's Office

10.2. Public Hearing to receive and file report summarizing measures taken to evaluate impacts addressed by urgency Ordinance No. 02-21; and to consider adoption of second extension of urgency Ordinance No. 02-21.

Recommended Action:

- 1. Receive and file report of measures taken.
- Adopt Ordinance No. 02-21-B. Second Extension of a Revised Urgency Ordinance
 of the City Council of the City of Orange prohibiting the addition of three or more
 bedrooms or three or more bathrooms to a primary residence use on lots less than
 12,000 square feet, and adding definitions of dormitory and student housing.

Attachments: Staff Report

Ordinance No. 02-21-B

10.3. Public Hearing to consider an Agreement to Convey Land with OSH Katella Terrace LLC accepting a land donation of the property located at 1249 E. Katella Avenue from OSH Katella, LLC to facilitate the development of the Katella Terrace Apartments senior affordable housing project.

Recommended Action:

- 1. Approve the Agreement to Convey Land with OSH Katella Terrace, LLC and authorize the Mayor and City Clerk to execute on behalf of the City.
- Authorize the City Manager to approve and execute documents approved as to form by the City Attorney necessary to carry out the Agreement to Convey Land and the acquisition of the property by the City, including without limitation escrow documents, title documents, conveyance documents and certificate of acceptance.
- 3. Authorize the City Manager to sign a commitment letter to Katella Terrace LP that is consistent with the provisions of the Agreement to Convey Land.

Attachments: Staff Report

Agreement to Convey Land

Attachment 2: Form of Lease Agreement

10.4. Public Hearing to consider General Plan Amendment No. 2022-0001; City of Orange 2021-2029 Housing Element Update.

Recommended Action:

Adopt City Council Resolution No. 11378. A Resolution of the City Council of the City of Orange approving General Plan Amendment No. 2022-0001 adopting the City of Orange 2021-2029 General Plan Housing Element.

Attachments: Staff Report

Attachment 1 Resolution No. 11378

Attachment 2 Planning Commission Resolution No. PC 01-22

Attachment 3 Planning Commission Staff Report and Draft Minutes,

January 3, 2022

Attachment 4 Draft 2021-2029 Housing Element Update

11. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, March 8, 2022, 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 N. Batavia Street, and uploaded to the City's website www.cityoforange.org.

Date posted: February 3, 2022