



Tom Kisela
City Manager

Mike Vigliotta
City Attorney

Pamela Coleman
City Clerk

AGENDA

City Council November 14, 2023

Joint Meeting with the Orange Industrial Development Authority

5:00 PM Closed Session
6:00 PM Regular Session

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

**The Mayor and City Council also serve as the
Orange Industrial Development Authority**

DAN SLATER
Mayor

ARIANNA BARRIOS
Mayor pro tem, District 1

JON DUMITRU
Councilmember, District 2

KATHY TAVOULARIS
Councilmember, District 3

DENIS BILODEAU
Councilmember, District 4

ANA GUTIERREZ
Councilmember, District 5

JOHN GYLLENHAMMER
Councilmember, District 6

The City of Orange City Council welcomes you to this meeting and encourages your participation. Regular City Council meetings are held on the second and fourth 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 Council 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, address, and identify 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 eComment

Members of the public can submit their written comments electronically for City Council consideration by using the eComment feature on the Agenda page of the City's website at www.cityoforange.org. To ensure distribution to the City Council prior to consideration of the agenda, we encourage the public to submit written comments by 3:00 p.m. the day of the meeting. All written comments will be provided to the Council for consideration and posted on the City's website after the meeting.

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.

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. CALL TO ORDER****1.1 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. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)
(One potential case)

b. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Negotiator: Tom Kisela, City Manager

Employee Organizations: Orange Maintenance and Crafts Employees' Association, Orange Management Association, Orange Municipal Employees' Association, Water Division Employees' Association, and Part-Time and Limited Duration Employees

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**

Rabbi Eliezer Gurary, Chabad at Chapman University & Orange Police Department

1.2 PLEDGE OF ALLEGIANCE

Mayor pro tem Arianna Barrios

1.3 ROLL CALL**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Proclamation recognizing Cathy Seeling for over 25 years of service to the Friendly Center

Greater Orange Community Arts Theater (GOCAT) Status Update

El Modena High School Student Liaison Emma Hoffman

Orange High School Student Liaison Nancy Albeno

1.5 REPORT ON CLOSED SESSION ACTIONS**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 October 5, 12, 19, and 26, 2023.**Recommended Action:**

Approve as presented.

Attachments: [Staff Report](#)
 [October 5 2023 Warrant Register](#)
 [October 12 2023 Warrant Register](#)
 [October 19 2023 Warrant Register](#)
 [October 26 2023 Warrant Register](#)

3.3. Approval of minutes of the City of Orange City Council Regular Meeting held on October 24, 2023; and an Adjourned Regular Meeting held on October 30, 2023.**Recommended Action:**

Approve minutes as presented.

Attachments: [Staff Report](#)
 [October 24, 2023, Regular Meeting minutes](#)
 [October 30, 2023, Adjourned Regular Meeting minutes](#)

3.4. Monthly Treasurer's Reports for July, August, and September 2023.**Recommended Action:**

Receive and file.

Attachments: [Staff Report](#)
 [Investment Report for Period Ending September 30, 2023](#)
 [Monthly Statement for July 2023](#)
 [Monthly Statement for August 2023](#)
 [Monthly Statement for September 2023](#)
 [Significant Monthly Transactions July - September 2023](#)

3.5. Agreement with Crosstown Electrical & Data, Inc. for On-Call Maintenance and Repair Services for Advance Traffic Management System and Communication System and finding of CEQA exemption.**Recommended Action:**

Approve the agreement with Crosstown Electrical & Data, Inc. for an initial term of two years in the amount of \$60,000 for On-Call Maintenance and Repair Services for Advance Traffic Management System and Communication System; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Agreement with Crosstown](#)

3.6. Agreement with Orange Home Grown Farmers and Artisans Market for the use of West Palm Avenue between North Lemon Street and North Cypress Street.

Recommended Action:

Approve the agreement with Orange Home Grown Farmers and Artisans Market for the use of West Palm Avenue between North Lemon Street and North Cypress Street for their weekly farmers' market; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Agreement with Orange Home Grown Foundation Inc](#)

3.7. Agreement with the California Department of Transportation for additional Santiago Creek debris removal services and community waste disposal events.

Recommended Action:

Approve the Reimbursement Agreement with Caltrans in the amount of \$130,000 for debris removal along Santiago Creek and to facilitate community disposal events for Orange residents under the Clean California Initiative from November 2023 to June 2024, and authorize the City Manager, or their designee, to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Dump Day Event Agreement](#)

3.8. Historic Property Preservation Agreements (Mills Act Contracts) for 19 qualified historic properties.

Recommended Action:

Approve 19 Mills Act Contracts between the City of Orange and the identified property owners for the preservation and rehabilitation of qualified historic properties; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Table Summary of 19 Mills Act Applications](#)
[Mills Act Contract MAC-421.0-22 with photograph](#)
[Mills Act Contract MAC-428.0-23 with photograph](#)
[Mills Act Contract MAC-429.0-23 with photograph](#)
[Mills Act Contract MAC-430.0-23 with photograph](#)
[Mills Act Contract MAC-431.0-23 with photograph](#)
[Mills Act Contract MAC-432.0-23 with photograph](#)
[Mills Act Contract MAC-433.0-23 with photograph](#)
[Mills Act Contract MAC-434.0-23 with photograph](#)
[Mills Act Contract MAC-435.0-23 with photograph](#)
[Mills Act Contract MAC-436.0-23 with photograph](#)
[Mills Act Contract MAC-437.0-23 with photograph](#)
[Mills Act Contract MAC-438.0-23 with photograph](#)
[Mills Act Contract MAC-439.0-23 with photograph](#)
[Mills Act Contract MAC-440.0-23 with photograph](#)
[Mills Act Contract MAC-441.0-23 with photograph](#)
[Mills Act Contract MAC-442.0-23 with photograph](#)
[Mills Act Contract MAC-443.0-23 with photograph](#)
[Mills Act Contract MAC-444.0-23 with photograph](#)
[Mills Act Contract MAC-445.0-23 with photograph](#)

3.9. Agreements with the California Department of Health Care Services and CalOptima for a one-time Intergovernmental Transfer.

Recommended Action:

1. Approve agreements with the California Department of Health Care Services and CalOptima in the amount of \$659,183, representing \$549,319 in unreimbursed Medicare revenue plus a \$109,863 administration fee, for a one-time Intergovernmental Transfer, and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the transfer of \$ 659,183 of reimbursable funds to the California Department of Health Care Services.

Attachments: [Staff Report](#)
[Intergovernmental Agreement regarding transfer of public funds between the City of Orange and DHCS](#)
[Provider Agreement between the City of Orange and CalOptima](#)

- 3.10. Appropriation of \$43,082 from the Old Towne West Metrolink Parking Structure parking revenue collected during the Orange International Street Fair to be used for maintenance costs.**

Recommended Action:

1. Accept into the City's revenue budget \$43,082 in Metrolink Parking Structure funds from the parking fees into revenue account 100.0000.48380.17006, General Fund - Street Fair Metrolink Parking.
2. Authorize the appropriation of \$43,082 into expenditure account number 100.5028.51450.20421, General Fund - Other Maintenance Metrolink Parking Structure.

Attachments: [Staff Report](#)

- 3.11. Approval of plans and specifications for Bid No. 23-24.18, SP-4264; Community Development Block Grant Fiscal Year 2023-2024 Americans with Disabilities Act (ADA) Wheelchair Access Ramp Replacement at Various Locations; authorization to advertise for bids; and finding of CEQA exemption.**

Recommended Action:

Approve plans and specifications and authorize advertising for bids for the Community Development Block Grant Fiscal Year 2023-2024 Americans with Disabilities Act (ADA) Wheelchair Access Ramp Replacement at Various Locations.

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

- 3.12. Claims for Damages.**

Recommended Action:

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

1. Janet Verkich
2. Michael Joseph Guzman III
3. Marie Conception Guzman
4. Gregory Dennis
5. Arthur Lopez
6. Arthur Lopez
7. Michael Gore

Attachments: [Staff Report](#)

- 3.13. Award of Sourcewell Contract to Horizons Construction Company International, Inc. for the gas line replacement at the El Modena Library; and finding of CEQA exemption.**

Recommended Action:

Approve a Sourcewell contract with Horizons Construction Company International, Inc. in the amount of \$49,134 for the gas line replacement at El Modena Library; and

authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)

[Contract with Horizons Construction Company International, Inc.](#)

- 3.14. Award of Contract to Onyx Paving Company, Inc. for parking lot pavement rehabilitation at Fred Barrera, Santiago Hills, and Serrano Parks and McPherson Athletic Center; resurfacing of bike trails and walking paths at the following locations: El Modena Bike Trail, Santiago Creek Bike Trail, and Hart Park; and finding of CEQA exemption.**

Recommended Action:

1. Approve the contract with Onyx Paving Company, Inc. in the amount of \$1,059,300 for Parking Lot Pavement Rehabilitation (30053) and Resurfacing Bike Trails and Walking Paths (20475); and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize an appropriation transfer of \$43,968.18 from expenditure account 510.7021.56015.20475 - CIP - Reno-Resurfacing Bike Trails to 510.7021.56015.30053 - Parking Lot Pavement Rehab.
3. Authorize the appropriation of \$183,568 in unreserved Park Acquisition (Infill) (510) fund balance to expenditure account 510.7021.56015.30053 - Parking Lot Pavement Rehab.

Attachments: [Staff Report](#)

[Contract with Onyx Paving Company, Inc.](#)

- 3.15. Award of Contract to Delta Electric, LLC. for area lighting replacement at Grijalva Park; and finding of CEQA exemption.**

Recommended Action:

1. Approve the contract with Delta Electric, LLC. In the amount of \$621,390 for the Area Lighting Replacement at Grijalva Park project (20477); and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$60,000 in unreserved Park Acquisition (Infill) (510) fund balance to expenditure account 510.7021.56015.20477 - CIP - Reno - Area Lighting Replacement.

Attachments: [Staff Report](#)

[Contract with Delta Electric, LLC](#)

- 3.16. Contract for purchase of equipment and installation services for the mixers at Reservoirs 5, 8, and 10 from PAX Water Technologies as a sole source vendor.**

Recommended Action:

Approve contract with PAX Water Technologies for the purchase of equipment and installation services of internal mixers for Reservoirs 5, 8, and 10; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Contract with PAX Water Technologies](#)

- 3.17. Final Acceptance of Annual Sewer Line Replacement / Maintenance FY 21-22; and authorization to file Notice of Completion.**

Recommended Action:

Accept Annual Sewer Line Replacement / Maintenance FY 21-22 (Bid No. 21-22.18, S-245) as complete, and authorize staff to file Notice of Completion with the County Recorder.

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

- 3.18. Second Reading and adoption of an Ordinance of the City Council of the City of Orange amending Title 16 (Subdivisions) and Title 17 (Zoning) of the Orange Municipal Code by Enacting Ministerial Standards Applicable to Lot Splits in Single-Family Residential Zones Allowed as a Result of SB 9, enacting Ministerial Standards Applicable to the Location, Access, Size and Setback of Second Dwelling Units in Single-Family Residential Zones Allowed as a Result of SB 9, and Adding and Revising Definitions to Clarify Said Development Standards. Ordinance No. 15-23.**

Recommended Action:

Adopt Ordinance No. 15-23.

Attachments: [Staff Report](#)
 [Ordinance No. 15-23](#)

- 3.19. Authorize continued rental services for portable restrooms and sinks with United Rentals (North America), Inc. for the HUB Resource Center.**

Recommended Action:

Approve an increase to a blanket purchase order for a total of \$52,000 with United Rentals of California, Inc. for portable restroom and sink rentals.

Attachments: [Staff Report](#)

- 3.20. Authorize continued rental services for mobile ADA shower stalls with Royal Restrooms of California, Inc. for the HUB Resource Center.**

Recommended Action:

Approve an increase to a blanket purchase order for a total of \$84,000 with Royal Restrooms of California, Inc. for mobile shower rentals.

Attachments: [Staff Report](#)

3.21. Adoption of Resolution No. 11499 establishing criteria and meeting information for the Santiago Creek Commission.

Recommended Action:

1. Adopt Resolution No. 11499. A Resolution of the City Council of the City of Orange rescinding Resolution No. 11492 and re-establishing the number of members, qualifications for membership, purpose, compensation, and meeting information for specified city boards, committees, and commissions.
2. Direct the City Clerk to post a Notice of Vacancy for the newly created positions pursuant to the Maddy Act, Government Code Section 54974.

Attachments: [Staff Report](#)
 [Resolution No. 11499](#)

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR SLATER

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(a)(3).

5.1. Highlight Local Business (Barrios & Gutierrez)

6. AB 1234 REPORTS

This is the time for all AB 1234 reports required pursuant to Government Code Section 53232.3(d) on meetings and conferences attended at the City's expense.

7. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS

7.1. Appointment of Orange County Mosquito and Vector Control District Board of Trustees representative.

Recommended Action:

Appoint a representative to the Orange County Mosquito and Vector Control District Board of Trustees for a term of two (or four) years commencing at noon January 1, 2024.

Attachments: [Staff Report](#)
 [Orange County Mosquito and Vector Control District letter](#)

8. ADMINISTRATIVE REPORTS

8.1. Implementation of permit parking on additional streets within Permit Parking Opportunity Areas #1 and #3. Resolution No. 11500.

Recommended Action:

1. Approve permit parking in PPOA #1 on:
 - Both sides of Bedford Road between Culver Avenue and La Veta Avenue.
 - Both sides of Devon Road between Palmyra Avenue and Culver Avenue.
2. Approve permit parking in PPOA #3 on:
 - Both sides of Mount Vernon Avenue between Wayfield Street and Le May Court.
 - Both sides of Park Lane between Mount Vernon Avenue and Sycamore Avenue.
 - Both sides of Martha Avenue east of Park Lane.
 - Both sides of Sycamore Avenue between Wayfield Street and Highland Street.
 - Both sides of Highland Street between Sycamore Avenue and the south terminus.
3. Adopt Resolution No. 11500. A Resolution of the City Council of the City of Orange adopting a revised master resolution of designated permit parking areas within the City of Orange.

Attachments:

[Staff Report](#)

[NPPP Policy, August 2022](#)

[Resolution No. 11500](#)

[Area Map PPOA#1](#)

[Activation Map PPOA#1](#)

[Area Map PPOA #3](#)

[Activation Map PPOA #3](#)

[August 9, 2023, CTC Staff Report - Devon Rd](#)

[August 9, 2023, CTC Minutes](#)

[October 11, 2023, CTC Staff Report - Bedford](#)

[October 11, 2023, CTC Report - Mt Vernon Neighborhood](#)

[October11, 2023, CTC Draft Minutes](#)

[Notification Letters](#)

8.2. Consideration of a Tenant Based Rental Assistance Program for security and utilities deposit rental assistance to be funded out of the HOME Investment Partnerships Program.

Recommended Action:

Direct staff to establish a program that includes:

1. Security deposit assistance to qualifying households.

2. Utility deposit assistance to qualifying households.
3. Participant referral from a supportive services organization serving residents of the City of Orange as part of the qualification criteria for applying for the Tenant Based Rental Assistance Program.
4. A preference criterion (in order of preference):
 - a. Current City of Orange resident with intention to continue to reside in the City of Orange;
 - b. Families with children under 12;
 - c. Veterans with honorable discharge; and
 - d. Elderly as defined by the Social Security Administration for full retirement qualification
5. Security and utility deposits be paid directly to the landlord or property manager and any remaining funds at the end of residency be returned to the City as Program Income.
6. The security and utility deposit assistance be defined as a grant, with any remaining funds at the end of tenancy returned by the landlord directly to the City as program income.

Attachments: [Staff Report](#)

9. REPORTS FROM CITY MANAGER

10. ITEMS RELATED TO THE INDUSTRIAL DEVELOPMENT AUTHORITY

10.1. Report from the Finance Director of the Industrial Development Authority of the City of Orange.

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)

11. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, November 28, 2023, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m., if necessary.

I, Pamela Coleman, CMC, 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 at 407 E. Chapman Avenue, Police facility at 1107 N. Batavia Street, and uploaded to the City's website www.cityoforange.org.

Date posted: November 9, 2023