



AGENDA

City Council August 09, 2022

Rob Houston
City Manager

Gary A. Sheatz
City Attorney

Pamela Coleman
City Clerk

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.

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.

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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

- 1) Name of case: Gary Steele v. City of Orange
Orange County Superior Court Case No. 30-2022-01241193
- 2) Name of case: Rochelle Lyon v. City of Orange
Orange County Superior Court Case No. 30-2021-01186049
- 3) 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**

Father Neil Edlin, St. Mary Magdalene Anglican Church

1.2 PLEDGE OF ALLEGIANCE

Councilmember Jon Dumitru

1.3 ROLL CALL**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Recognition of outgoing Board, Committee and Commission members

Memorial Adjournment in honor of Salvador Avila, founder of Avila's El Ranchito Restaurant

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 July 6, 7, 12, 15, 21, and 26, 2022.**Recommended Action:**

Approve.

Attachments: [Staff Report](#)

3.3. Approval of meeting minutes of the City Council of the City of Orange for the July 12, 2022, Regular Meeting.

Recommended Action:

Approve minutes as presented.

Attachments: [Staff Report](#)
[July 12, 2022, Regular Meeting minutes](#)

3.4. Second Amendment to License Agreement with the County of Orange for use of office space at Fire Station No. 7.

Recommended Action:

Approve the amendment agreement with the County of Orange for use of office space at Fire Station No. 7; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Second Amendment with the County of Orange](#)

3.5. Third Amendment to Agreement with Intratek Computer Inc., for helpdesk and desktop technical support and update on Information Technology services.

Recommended Action:

Approve the amendment to agreement with Intratek Computer Inc. for helpdesk and desktop technical support; and authorize the Mayor and the City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Third Amendment to Agreement with Intratek Computer](#)

3.6. Appropriation of \$5,000 in revenue from community partnership donations.

Recommended Action:

1. Accept into the City's revenue budget a \$5,000 community partner donation, into revenue account 100.7015.48390.30197, Donations-2022 Special Events Season.
2. Authorize the appropriation of \$5,000 in the expenditure account number 100.7015.51355.30197, General Fund - Special Events-2022 Season.

Attachments: [Staff Report](#)

3.7. Appropriation of \$192,516.14 in State of California Office of Emergency Services funding received.

Recommended Action:

1. Accept into the City's revenue budget \$192,516.14 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 \$190,469.12 into the expenditure account numbers for Overtime-Safety as specified in Section 6 of the staff report.
3. Authorize the appropriation of \$2,047.02 into the expenditure account numbers for Strike Team Expenditures as specified in Section 6 of the staff report.

Attachments: [Staff Report](#)

3.8. Appropriation of \$25,748 in designated continuing education funding received from the Rancho Santiago Community College District.

Recommended Action:

1. Accept into the City's revenue budget \$25,748 in continuing education funds from Rancho Santiago Community College District into revenue account number 100.3023.48210.20234, General Fund - Santa Ana College Fire Training.
2. Authorize the appropriation of \$25,748 into expenditure account number 100.3023.51840.20234, General Fund - Santa Ana College Fire Training.

Attachments: [Staff Report](#)
[Standard Inter-Agency Instructional Services Agreement AGR-6589](#)

3.9. Acceptance and appropriation of \$10,000 in American Recovery Act Program funding for Meal Gap Services.

Recommended Action:

1. Accept into the City's revenue budget \$10,000 in American Recovery Act Program Funding from the County of Orange, into revenue account 550.7011.45150.30207, Reimbursable Capital Projects - Federal Grant Revenue.
2. Authorize the appropriation of \$10,000 to 550.7011.56510.30207, CIP-Other Capital Outlay-Meal Gap FY 23.

Attachments: [Staff Report](#)
[Subrecipient Agreement for Revenue Loss American Rescue Plan Act Funding](#)

3.10. Approval of plans and specifications for Cannon Street at Serrano Avenue Intersection Improvements (SP-4086); and authorization to advertise for bids.

Recommended Action:

Approve the plans and specifications and authorize advertising for Bid No. 22-23.05.

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

3.11. Approval of plans and specifications for the Orange Library Interior Rehabilitation Project, and authorization to advertise for bids.

Recommended Action:

Approve plans and specifications and authorize advertising for Bid No. 22-23.08.

Attachments: [Staff Report](#)

3.12. Claims for Damages.

Recommended Action:

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

1. Immanuel Lutheran Church
2. Andrew Moser
3. Carlos De Brito
4. Canyon Glen Community Association
5. Jeff McCleary
6. Southern California Edison
7. Mercury Insurance a/s/o Kenya Avila

Attachments: [Staff Report](#)

3.13. Award of Contract to Crosstown Electrical & Data, Inc. for Tustin Street at La Veta Avenue - Rock Creek Drive Signal Modification; Bid No. 22-23.02.

Recommended Action:

1. Authorize the appropriation of \$20,000 from the Fund 287 (TSIP Citywide) unreserved fund balance to expenditure account 287.5032.56100.20351, CIP-Tustin & La Veta Traffic Signal Upgrade.
2. Approve the contract with Crosstown Electrical & Data, Inc. in the total amount of \$115,145.80, representing an original bid amount of \$104,678, plus a 10% contingency of \$10,467.80, for Tustin Street and La Veta Avenue - Rock Creek Drive Traffic Signal Modification; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)

[Bid Abstract](#)

[Contract with Crosstown Electrical & Data, Inc.](#)

3.14. Award of Contract to Delta Electric, LLC for the Replacement of Emergency Generator and Automatic Transfer Switch for Water Division Headquarters Project; Bid No. 21-22.41

Recommended Action:

1. Award the contract to Delta Electric, LLC in the amount of \$ 184,000.50 for the Replacement of Emergency Generator and Automatic Transfer Switch; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize 10% of the contract amount for contingency purposes.

Attachments: [Staff Report](#)

[Location Map](#)

[Bid Abstract](#)

[Contract with Delta Electric, LLC](#)

3.15. Final Acceptance of Bid No. 21-22.31, Automatic Door Upgrade at City Hall; and authorization to file Notice of Completion.

Recommended Action:

Accept the Automatic Door Upgrade at City Hall project (SP-4208) as complete, and authorize staff to file Notice of Completion with the County Recorder.

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

3.16. Final Acceptance of Bid No. 21-22.30, Painting and Carpet Replacement at Various Fire Stations; and authorization to file Notice of Completion.

Recommended Action:

Accept Painting and Carpet Replacement at Various Fire Stations (SP-4209) as complete, and authorize staff to file Notice of Completion with the County Recorder.

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

3.17. Final Acceptance of Bid No. 21-22.24, Fire Station 5 Bathroom Remodel; and authorization to file Notice of Completion.

Recommended Action:

Accept Fire Station 5 Bathroom Remodel as complete (SP-4200), 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 Section 2.26.010.A of the Orange Municipal Code regarding duties of the City Treasurer. Ordinance No. 05-22.

Recommended Action:

Adopt Ordinance No. 05-22.

Attachments: [Staff Report](#)
 [Ordinance No. 05-22](#)

3.19. Time extension for Tentative Tract Map No. 0050-20, Minor Site Plan Review No. 1016-20, and Negative Declaration No. 1871-20 - Mabury Tentative Tract Map

Recommended Action:

Approve a one-year time extension based on Orange Municipal Code Section 17.08.060, and a six-year time extension based on Subdivision Map Act Section 66452.6(e) for Tentative Tract Map No. 0050-20, Minor Site Plan Review No. 1016-20,

and Negative Declaration No. 1871-20.

Attachments: [Staff Report](#)
 [Attachment 1 Letter from Milan REI X LLC](#)
 [Attachment 2 City Council Resolution No. 11268](#)
 [Attachment 3 City Council Staff Report dated August 25, 2020](#)
 [Attachment 4 City Council Minutes dated August 25, 2020](#)

3.20. Monthly Treasurer’s Reports for April, May, and June 2022.

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)
 [Investment Report for April 2022](#)
 [Investment Report for May 2022](#)
 [Investment Report for June 2022](#)

3.21. Delegate authority to the City Manager to apply for and Make Industrial Disability Retirement Determinations. Resolution No. 11413.

Recommended Action:

Adopt Resolution No. 11413. A Resolution of the City Council of the City of Orange Rescinding Resolution No. 11111 and Delegating Authority to the City Manager to Apply for and Make Industrial Disability Retirement Determinations.

Attachments: [Staff Report](#)
 [Resolution No. 11413](#)

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(a)(3).

5.1. Highlight Local Business (Gutierrez & Barrios)

5.2. Park Events - Concert/Movie Series (Dumitru)

5.3. Public Noticing of Projects/Hearings (Dumitru)

5.4. City Council Rules of Decorum (Gutierrez)

5.5. Historic Cypress Street Barrio (Monaco)

6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS

6.1. Appointment(s) to Investment and Audit Committee.

Recommended Action:

Confirm Mayor Murphy's recommendation to appoint Jeff Grampp to a two-year term ending June 30, 2024; and Aaron Christensen to a one-year term ending June 30, 2023.

Attachments: [Staff Report](#)
 [Resolution No. 11387](#)

7. ADMINISTRATIVE REPORTS

7.1. Request for Proposal No. 22-23.06 for grant writing and legislative advocacy services.

Recommended Action:

Approve Request for Proposal No. 22-23.06 for grant writing and legislative advocacy services.

Attachments: [Staff Report](#)
 [RFP 22-23.06](#)

7.2. Review of City's Neighborhood Permit Parking Program policy

Recommended Action:

Approve the proposed updates to the Neighborhood Permit Parking Program policy and implementation updates, dated August 9, 2022.

Attachments: [Staff Report](#)
 [NPPP Policy Update 2022 \(Redlined\)](#)

7.3. Discussion of North Tustin Street Specific Plan Options

Recommended Action:

Provide direction to staff on the North Tustin Street Specific Plan conceptual land use with consideration of options provided by staff and consideration of City Council's request for the formation of an ad-hoc committee.

Attachments: [Staff Report](#)
 [Attachment 1 - Original Proposal and Existing Conditions Map](#)
 [Attachment 2 - List of Land Uses Permitted in Various Commercial Zones](#)

8. REPORTS FROM CITY MANAGER

9. ADJOURNMENT

The City Council will Adjourn in Memory of Salvador Avila.

The next Regular City Council meeting will be held on Tuesday, September 13, 2022, 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 North Batavia Street, and uploaded to the City's website www.cityoforange.org.

Date posted: August 4, 2022