



Tom Kisela
City Manager

Mike Vigliotta
City Attorney

Pamela Coleman
City Clerk

AGENDA

City Council February 27, 2024

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

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

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.

(Continued on page 2)

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 – EXISTING LITIGATION**

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

1) Name of Case: Donna Christine Collins v. City of Orange et. al.
Orange County Superior Court Case No. 30-2023-01324345

2) Name of Case: Mignon Mitchell, et. al. v. City of Orange
Orange County Superior Court Case No. 30-2024-01378669

b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

The City of Orange has received a litigation threat from a non-profit, Californians for Homeownership, regarding the City's housing element which was determined to be in substantial compliance with state law by the California Department of Housing and Community Development (HCD). A record of the statement threatening litigation is available for public inspection at the Office of the City Clerk located at 300 E. Chapman Avenue, Orange, CA 92866.

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 Orlando Barela, Household of Faith Family Church

1.2 PLEDGE OF ALLEGIANCE

Councilmember Ana Gutierrez

1.3 ROLL CALL**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Memorial Adjournment in honor of Gloria Boice

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. Agreement with Chapman University for production and broadcasting of local cable programming.**Recommended Action:**

Approve the agreement with Chapman University in the amount of \$540,000 for a three-year term to produce and broadcast local cable programming, with two, one-year extension options at the same rate; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Agreement with Chapman University](#)

3.3. Agreement with Kosmont & Associates, Inc. for economic development advisory services.

Recommended Action:

1. Approve the agreement with Kosmont & Associates, Inc. in the amount of \$50,000 for economic development advisory services; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the following budget transfer:
From: 952.9810.56020.20247 NW & SW Merged 2003 Taxable Bonds SAORA Capital \$50,000
To: 952.9810.51670.20541 NW & SW Merged 2003 Taxable Bonds West Katella District \$50,000

Attachments: [Staff Report](#)
 [Agreement with Kosmont & Associates, Inc.](#)

3.4. Sewer Facility Transfer Agreement and Memorandum of Understanding between the City of Orange and Orange County Sanitation District in conjunction with the District's 2-49 Taft Branch Improvements.

Recommended Action:

1. Approve the Sewer Transfer Agreement with Orange County Sanitation District and authorize the Mayor and City Clerk to execute on behalf of the City of Orange.
2. Approve the Memorandum of Understanding with Orange County Sanitation District and authorize the Mayor and City Clerk to execute on behalf of the City of Orange.

Attachments: [Staff Report](#)
 [Sewer Transfer Map](#)
 [Sewer Transfer Agreement](#)
 [Memorandum of Understanding](#)

3.5. Rejection of all bids received for the Landscape Renovation at White Oak Ridge Between Newport Blvd. and Trails End Ln.; and authorization to re-advertise for bids.

Recommended Action:

Reject all bids received for Landscape Renovation at White Oak Ridge Between Newport Blvd. and Trails End Ln., Bid No. 23-24.20; and direct staff to re-advertise for bids.

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

3.6. Award of Contract to CEM Construction Corporation for the Annual Pipeline Renewal Project; Bid No. 23-24.25.

Recommended Action:

Approve the contract with CEM Construction Corporation in the total amount of \$2,802,547, representing an original bid amount of \$2,547,770, plus a 10% contingency of \$254,777, for the Annual Pipeline Renewal project; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Location Map](#)
 [Contract with CEM Construction Corporation](#)
 [Bid Abstract](#)

3.7. Final Acceptance of Annual Slurry Seal at Various Locations, Fiscal Year 2023-2024; and authorization to file Notice of Completion.

Recommended Action:

Accept Annual Slurry Seal at Various Locations, Fiscal Year 2023-2024 as complete, and authorize staff to file Notice of Completion with the County Recorder.

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

3.8. Final Acceptance of Chapman and Hewes Intersection Signing and Striping Modifications; and authorization to file Notice of Completion.

Recommended Action:

Accept Chapman and Hewes Intersection Signing and Striping Modifications as complete, and authorize staff to file Notice of Completion with the County Recorder.

Attachments: [Notice of Completion](#)

3.9. Final Acceptance of Sourcewell Contract #CA-R8-GB01-123021-HCC, Gas Line Replacement at El Modena Library; and authorization to file Notice of Completion.

Recommended Action:

Accept Sourcewell Contract #CA-R8-GB01-123021-HCC, Gas Line Replacement at El Modena Library (SP-4273), as complete and authorize staff to file Notice of Completion with the County Recorder.

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

3.10. Final Acceptance of Annual Concrete Replacement at Various Locations, Fiscal Year 2022-2023; and authorization to file Notice of Completion.

Recommended Action:

Accept Annual Concrete Replacement at Various Locations, Fiscal Year 2022-2023 as complete, and authorize staff to file Notice of Completion with the County Recorder.

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

3.11. Declare the unimproved right-of-way located at 515 Fletcher Avenue, east of Glassell Street, as surplus to the City's needs and authorize the disposal of the property. Resolution No. 11526.

Recommended Action:

Adopt Resolution No. 11526. A Resolution of the City Council of the City of Orange finding that certain City-owned real property located at 515 Fletcher Avenue east of Glassell Street in the City of Orange is exempt surplus land pursuant to Government Code Section 54221 and finding that the foregoing action is exempt from review under the California Environmental Quality Act.

Attachments: [Resolution No. 11526](#)
 [Staff Report](#)

END OF CONSENT CALENDAR

4. REPORTS FROM MAYOR SLATER

4.1. Ficus Trees on Chapman Avenue Discussion

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. Sale of Taft Branch Library (Tavoularis)

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. ADMINISTRATIVE REPORTS

7.1. Agreement with Tyler Technologies Inc. for the upgrade of the City's enterprise resource planning system.

Recommended Action:

1. Approve the agreement with Tyler Technologies Inc. in the total amount of \$2,021,392, representing the original proposed amount of \$1,837,629, plus a 10% contingency of \$183,763; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$1,295,000 from the unreserved fund balance to:
790.1601.56033.20391 Computer Replacement Fund - Financial System
Replacement \$910,000
600.1222.56510.20391 Water Fund - Financial System Replacement \$385,000

Attachments: [Staff Report](#)
[Agreement with Tyler Technologies, Inc.](#)

7.2. Approval of plans and specifications for the demolition of the Old Fire Station Headquarters as part of the Grand Street Parking Lot Project; authorization to advertise for bids; and finding of CEQA exemption.

Recommended Action:

1. Approve plans and specifications and authorize advertising for Bid No. 23-24.30 (SP-4282).
2. Find the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15332 (Class 32 - In-Fill Development Projects).

Attachments: [Staff Report](#)
[Parking Lot Layout](#)

7.3. Presentation from Fairbank, Maslin, Maullin, Metz & Associates on the results from a citywide survey that studied the feasibility of potential revenue measures and identified budget/service priorities.

Recommended Action:

1. Receive and file a presentation from Fairbank, Maslin, Maullin, Metz & Associates on the results of a citywide survey that studied the feasibility of potential revenue measures and identified budget/service priorities.
2. Discuss the results from the citywide survey and provide direction to City staff.

Attachments: [Staff Report](#)

8. REPORTS FROM CITY MANAGER

9. LEGAL AFFAIRS

- 9.1. Investment and Audit Committee's separation and related changes to Orange Municipal Code Title 2. Resolution No. 11522 and Ordinance Nos. 01-24, 02-24, and 03-24.

Recommended Action:

1. Introduce and conduct First Reading of Ordinance No. 01-24. An Ordinance of the City Council of the City of Orange amending section 2.26.010 of the Orange Municipal Code Related to the Duties of the City Treasurer.
2. Introduce and conduct First Reading of Ordinance No. 02-24. An Ordinance of the City Council of the City of Orange adding Chapter 2.50 to Title 2 of the Orange Municipal Code (Administration and Personnel) establishing the Audit Advisory Committee.
3. Introduce and conduct First Reading of Ordinance No. 03-24. An Ordinance of the City Council of the City of Orange adding Chapter 2.51 to Title 2 of the Orange Municipal Code (Administration and Personnel) establishing the Investment Advisory Committee.
4. Adopt Resolution No. 11522. A Resolution of the City Council of the City of Orange rescinding Resolution No. 11387.

Attachments:

[Staff Report](#)

[Ordinance No. 01-24](#)

[Ordinance No. 01-24 - REDLINED](#)

[Ordinance No. 02-24](#)

[Ordinance No. 03-24](#)

[Resolution No. 11522](#)

[Resolution No. 11387](#)

10. ADJOURNMENT

The City Council will Adjourn in Memory of Gloria Boice.

The next Regular City Council meeting will be held on Tuesday, March 12, 2024, 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: February 22, 2024