



Tom Kisela
City Manager

Mike Vigliotta
City Attorney

Pamela Coleman
City Clerk

AGENDA

City Council April 09, 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) - One case
Name of Case: Orange County Water District et. al. vs. 3M et. al.
United States District Court for the District of South Carolina
Case No. 2:22-cv-01798-RMG

b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (One potential case)

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**

Reverend Father Neil Edlin, St. Mary Magdalene Church

1.2 PLEDGE OF ALLEGIANCE

Councilmember Denis Bilodeau

1.3 ROLL CALL**1.4 PRESENTATIONS/ANNOUNCEMENTS**

El Modena High School Student Liaison Emma Hoffman

Orange High School Student Liaison Emily Purm

Proclamation recognizing Gerrit Cole for being selected as one of Orange County's 2023 most influential people

Proclamation recognizing April 14-20, 2024 as National Public Safety Telecommunicators Week

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 March 7, 14, 21, and 28, 2024.**Recommended Action:**

Approve as presented.

Attachments: [Staff Report](#)
[March 07, 2024 Warrant Writing Register](#)
[March 14 2024 Warrant Writing Register](#)
[March 21, 2024 Warrant Writing Register](#)
[March 28, 2024 Warrant Writing Register](#)

3.3. Agreement with Paymentus Corporation for an online platform for Utility Billing services, including processing credit card and e-check payments.**Recommended Action:**

Approve the agreement with Paymentus Corporation in the amount not to exceed \$175,000 for one year; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Professional Services Agreement with Paymentus Corporation](#)

3.4. Three-year agreement with Insight Enterprises, Inc. for Microsoft Enterprise software licenses for all City computers and servers.**Recommended Action:**

Approve the three-year agreement with Insight Enterprises, Inc. for a total amount of \$1,328,378 (\$442,793 annually) for Microsoft software licensing; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Agreement with Microsoft](#)
[Quote from Insight Public Sector](#)

3.5. Second Amendment to Agreement with the County of Orange for a Lead Forensic Specialist during Fiscal Year 2024-2025.**Recommended Action:**

Approve the Second Amendment to Agreement No. 6447.4 with the County of Orange for a Lead Forensic Specialist in the amount of \$200,026; and authorize the Mayor and City Clerk to execute on behalf of the City.

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

- 3.6. License Agreement with Lestonnac Free Clinic, a California nonprofit corporation, for the right to use the southwest quadrant of a City-owned lot located at 164 S. Water Street for parking service vehicles.**

Recommended Action:

Approve the license agreement with Lestonnac Free Clinic, for the use of the southwest quadrant of the City-owned lot located at 164 S. Water Street for parking service vehicles; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [License Agreement with Lestonnac Free Clinic, a California nonprofit corporation](#)

- 3.7. Appropriation of \$55,000 in unreserved General Fund balance to address and treat mold growth at the Sports Center at Grijalva Park.**

Recommended Action:

Authorize the appropriation of \$55,000 of unreserved General Funds to:

100.7022.51401	Repairs to Buildings & Fixed Equipment	\$47,000
100.7014.51780	Other Contractual Services	\$8,000

Attachments: [Staff Report](#)

- 3.8. Approval of plans and specifications for Annual Sewer Replacement and Maintenance, Fiscal Year 2023-2024; authorization to advertise for bids; and finding of CEQA exemption.**

Recommended Action:

1. Approve the plans and specifications and authorize advertising for Bid No. 23-24.35, Annual Sewer Replacement and Maintenance, FY 2023-24 (S-250).
2. Find that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1(c) - Existing Facilities).

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

- 3.9. First Amendment to the Contract with Ultimate Maintenance Services, Inc. for custodial services at various city facilities.**

Recommended Action:

Approve the First Amendment with a two-year extension to the contract with Ultimate Maintenance Services, Inc. in the amount of \$1,054,680 for custodial services at various city facilities; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [First Amendment](#)

3.10. First Amendment to the Contract with West Coast Arborists, Inc. for citywide tree maintenance services.

Recommended Action:

Approve the First Amendment with West Coast Arborist, Inc. in the amount of \$330,000 for the next four fiscal years for tree and vegetation maintenance along a portion of Santiago Creek; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [First Amendment](#)

3.11. Award of Sourcewell Contract to Horizons Construction Company International, Inc. for facility repairs, maintenance, and abatement; and finding of CEQA exemption.

Recommended Action:

1. Approve the contract with Horizons Construction Company International, Inc. for \$91,443, representing an original amount of \$79,516 plus a 15% contingency of \$11,927 for facility repairs, maintenance, and abatement; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) provisions per State CEQA Guidelines Section 15301 (Existing Facilities).

Attachments: [Staff Report](#)
 [Contract with Horizons Construction Company International, Inc.](#)

3.12. Award of Contract to Hardy & Harper, Inc. for Annual Pavement Maintenance at Various Locations, Fiscal Year 2023-2024; Bid No. 23-24.28 (SP-4261).

Recommended Action:

Approve contract with Hardy & Harper, Inc. in the total amount of \$4,042,500, representing an original bid amount of \$3,850,000, plus a 5% contingency of \$192,500 for Annual Pavement Maintenance at Various Locations, Fiscal Year 2023-2024; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Bid Abstract](#)
 [Location Maps](#)
 [Contract with Hardy & Harper, Inc.](#)

3.13. Notice of Completion and Acceptance for Park Facility Roof Replacement.

Recommended Action:

1. Accept Park Facility Roof Replacement as complete (Bid No. 22-23.30).
2. Authorize City Clerk to file Notice of Completion with the Orange County Clerk-Recorder's Office.

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

- 3.14. Second Reading and adoption of an Ordinance of the City Council of the City of Orange amending various Sections in Titles 1 and 2 of the Orange Municipal Code to delete outdated language, update references to conform with current law and code provisions and achieve internal consistency. Ordinance No. 06-24.**

Recommended Action:

Adopt Ordinance No. 06-24.

Attachments: [Staff Report](#)
 [Ordinance No. 06-24](#)

- 3.15. Authorize purchase of sewer equipment parts and inspection camera from CUES, Inc. as the single source vendor.**

Recommended Action:

Approve the purchase of parts and inspection camera for \$77,432 from CUES, Inc. the single source vendor for city sewer equipment.

Attachments: [Staff Report](#)
 [CUES, Inc. Cost Proposal](#)

- 3.16. Authorize purchase of nine Dell R760 servers from Sidepath, Inc.**

Recommended Action:

1. Approve the purchase of nine Dell R760 servers from Sidepath, Inc. for a total amount of \$327,663.35.
2. Authorize the appropriation of \$62,485.36 from Computer Replacement (790) unreserved fund balance to:
790.1601.56033.20278 Server Refreshes

Attachments: [Staff Report](#)
 [Price Quote from Sidepath, Inc.](#)

- 3.17. Authorize purchase of nine vehicles from the National Auto Fleet Group for the Orange Police, Public Works, and Community Services Departments using a Cooperative Purchasing Agreement.**

Recommended Action:

1. Approve the purchase of nine vehicles from National Auto Fleet Group in the amount of \$616,829.

2. Authorize the purchase and installation of safety equipment from a single source vendor, Hi-Standard Automotive, LLC, for the five Ford Pursuit Explorers in the amount of \$93,233.

Attachments: [Staff Report](#)

- 3.18. **Authorize Pivotal Strategies to use the City of Orange name, official seal, logos, or any abbreviation of them for all public education and outreach materials/content.**

Recommended Action:

Authorize Pivotal Strategies to use the City of Orange name, official seal, logo, or any abbreviation of them for all public education and outreach materials/content pursuant to Orange Municipal Code Chapter 1.12.

Attachments: [Staff Report](#)
 [Orange Municipal Code Chapter 1.12](#)

- 3.19. **Designation of April 26, 2024, as Arbor Day. Resolution No. 11535.**

Recommended Action:

Adopt Resolution No. 11535. A Resolution of the City Council of the City of Orange designating April 26, 2024, as Arbor Day.

Attachments: [Staff Report](#)
 [Resolution No. 11535](#)
 [Arbor Day Planting Map](#)

- 3.20. **Resolution establishing criteria and meeting information for the Audit Advisory Committee and Investment Advisory Committee. Resolution No. 11536.**

Recommended Action:

1. Adopt Resolution No. 11536. A Resolution of the City Council of the City of Orange rescinding Resolution No. 11505 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. 11536](#)

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. Pursuant to Government Code Section 54954.2(a)(3), no action(s) or discussion(s) shall be undertaken on any item not appearing on the posted agenda.

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. ADMINISTRATIVE REPORTS

7.1. Consideration of a City Council resolution memorializing the Orange City Council's desire to reform Proposition 47.

Recommended Action:

1. Receive and file an analysis on Proposition 47, The Homelessness, Drug Addiction, and Theft Reduction Act, as well as related pieces of legislation from Townsend Public Affairs.
2. Consider the adoption of Resolution No. 11537. A Resolution of the City Council of the City of Orange, California, supporting Proposition 47 reform.

Attachments:

[Staff Report](#)

[Resolution No. 11537](#)

[Public Policy Institute of California Retail Theft in California](#)

[Testimony](#)

[AB 1787 Summary \(as of March 18, 2024\)](#)

[The Homelessness, Drug Addiction, and Theft Reduction Act](#)

7.2. Introduction and First Reading of Ordinance Nos. 08-24 and 09-24 amending Chapter 2.10 of Title 2 of the Orange Municipal Code relating to campaign contribution limits and contributions from committees.

Recommended Action:

1. Introduce and conduct First Reading of Ordinance No. 08-24. An Ordinance of the City Council of the City of Orange amending Section 2.10.050 of the Orange Municipal Code to increase campaign contribution limits.
2. Introduce and conduct First Reading of Ordinance No. 09-24. An Ordinance of the City Council of the City of Orange amending Section 2.10.090 of the Orange Municipal Code removing prohibition on transfer of contributions from candidate controlled committees and committee controlled by City candidate or elected officer making a contribution to another committee supporting or opposing a City candidate for office.

Attachments: [Staff Report](#)
 [Ordinance No. 08-24](#)
 [Ordinance No. 08-24 - REDLINE](#)
 [Ordinance No. 09-24](#)
 [Ordinance No. 09-24 - REDLINE](#)

8. REPORTS FROM CITY MANAGER

9. PUBLIC HEARINGS

- 9.1. **Public Hearing to consider introduction and First Reading of Ordinance No. 05-24 amending Chapter 17.15 of the Orange Municipal Code relating to Density Bonus Law to establish consistency with state density bonus law; and finding of CEQA exemption.**

Recommended Action:

1. Conduct and close Public Hearing.
2. Introduce and conduct First Reading of Ordinance 05-24. An Ordinance of the City Council of the City of Orange amending Chapter 17.08 and 17.15 of the Orange Municipal Code relating to Density Bonus Law.
3. Find the project is exempt from the California Environmental Quality Act (CEQA) under Section 15378 (Common Sense Exemption) of the CEQA Guidelines.

Attachments: [Staff Report](#)
 [Attachment 1 Ordinance No. 05-24](#)
 [Attachment 2 Planning Commission Resolution No. PC 03-24](#)
 [Attachment 3 Planning Commission Staff Report dated March 4, 2024](#)
 [Attachment 4 Planning Commission Minutes dated March 4, 2024](#)

10. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, April 23, 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: April 4, 2024