



Tom Kisela
City Manager

Mike Vigliotta
City Attorney

Pamela Coleman
City Clerk

AGENDA

City Council April 23, 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. THREAT TO PUBLIC SERVICES OR FACILITIES**

Pursuant to Government Code Section 54957(a)
Consultation with Orange Police Department Chief Dan Adams

b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a) & (d)(1) - One case
Name of Case: Californians for Homeownership v. City of Orange
Orange County Superior Court Case No. 30-2024-01382115

c. 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**

Pastor Eric Turbedsky, Sovereign Grace Church of Orange

1.2 PLEDGE OF ALLEGIANCE

Councilmember Ana Gutierrez

1.3 ROLL CALL**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Chapman Sustainability Update

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. Approval of minutes of the City of Orange City Council Special Meeting held on March 21, 2024; and Regular Meetings held on March 26 and April 9, 2024.**Recommended Action:**

Approve minutes as presented.

Attachments: [Staff Report](#)
 [March 21, 2024, Special Meeting minutes](#)
 [March 26, 2024, Regular Meeting minutes](#)
 [April 9, 2024, Regular Meeting minutes](#)

3.3. Agreement with Bibliotheca, LLC for technical support and maintenance of Library hardware and software.

Recommended Action:

Approve the agreement with Bibliotheca, LLC in the amount of \$219,938.31 for library hardware and software support and maintenance; and authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

Attachments: [Staff Report](#)
 [Agreement with Bibliotheca, LLC](#)

3.4. Agreement with MODassic Group, LLC for economic development services.

Recommended Action:

1. Approve the agreement with MODassic Group, LLC in the amount of \$70,000 for economic development services; and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the following budget transfer in the NW & SW Merged 2003 Taxable Bonds Fund (952):

From: 952.9810.56020.20247	SAORA Capital	\$70,000
To: 952.9810.51670.20541	West Katella District	\$70,000

Attachments: [Staff Report](#)
 [Agreement with MODassic Group, LLC](#)

3.5. Agreement with Avidex Industries, LLC for the installation of audiovisual equipment in the El Modena Branch Library community room.

Recommended Action:

Approve the agreement with Avidex Industries, LLC in the amount of \$38,681.51 for installation of audiovisual equipment in the El Modena Branch Library community room; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Agreement with Avidex Industries, LLC](#)

3.6. First Amendment to Attorney Services Agreement with McCune & Harber, LLP to provide legal services relating to litigation defense in the matter of Terrence Velasquez v. City of Orange.

Recommended Action:

Approve a First Amendment to Attorney Services Agreement with McCune & Harber,

LLP in the amount of \$30,000; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [First Amendment to Attorney Services Agreement](#)

3.7. Award of Contract to Monet Construction, Inc. for Corporation Yard Renovation Project - Police Storage Facility (Phase 1A); Bid No.23-24.23.

Recommended Action:

1. Authorize the appropriation of \$500,000 from the unreserved fund 553 balance to:
553.5028.56015.12982 City Trf. Tax Exempt Bonds City Facility Improvements
2. Approve the contract with Monet Construction, Inc. in the amount of \$1,794,529 for the City of Orange Corporation Yard Renovation Project-Police Storage Facility (Phase 1A); and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Bid Abstract](#)
 [Contract with Monet Construction, Inc.](#)

3.8. Second Reading and adoption of 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. Ordinance No. 05-24.

Recommended Action:

Adopt Ordinance No. 05-24.

Attachments: [Staff Report](#)
 [Ordinance No. 05-24](#)

3.9. General Plan Annual Progress Report to the State of California.

Recommended Action:

Receive and file the 2023 General Plan Annual Progress Report for submittal to the State.

Attachments: [Staff Report](#)
 [Attachment 1 PC Staff Report dated April 1, 2024](#)
 [Attachment 2 2010 General Plan Vision Statement](#)
 [Attachment 3 2023 General Plan Implementation Report](#)
 [Attachment 4 2023 Annual Housing Element Implementation Progress Report](#)

3.10. Approval of the Landscape Maintenance Districts 86-2 (Santiago Hills) and 15-1 (Santiago Hills Overlay) Preliminary Engineer's Report for Fiscal Year 2024-2025. Resolution No. 11540.

Recommended Action:

1. Adopt Resolution No. 11540. A Resolution of the City Council of the City of Orange regarding Landscape Maintenance Assessment Districts 86-2 (Santiago Hills), and 15-1 (Santiago Hills Overlay) declaring its intention to provide for an annual levy and collection of assessments for Fiscal Year 2024-2025; set a time and place for a public hearing to receive public testimony on the foregoing matters; and give preliminary approval of the certified Engineer's Report for Landscape Maintenance Assessment Districts 86-2 (Santiago Hills) and 15-1 (Santiago Hills Overlay).
2. Declare the intent to levy an annual assessment, and establish May 28, 2024, at 6:00 p.m. at City Hall Council Chamber, 300 E Chapman Avenue, Orange, CA 92866, as the time and place for the Public Hearing on the assessments.

Attachments:

[Staff Report](#)

[Resolution No. 11540](#)

[Preliminary Engineer's Report LMD 86-2 FY 2024-25](#)

[Preliminary Engineer's Report LMD 15-1 2024-25](#)

3.11. Approval of the Landscape Maintenance Assessment District 94-1 (Sycamore Crossing) Preliminary Engineer's Report for Fiscal Year 2024-2025. Resolution No. 11541.

Recommended Action:

1. Adopt Resolution No. 11541. A Resolution of the City Council of the City of Orange regarding Landscape Maintenance Assessment District 94-1 (Sycamore Crossing) declaring its intention to provide for an annual levy and collection of assessments for Fiscal Year 2024-2025; set a time and place for a public hearing to receive public testimony on the foregoing matters and give preliminary approval to the certified Engineer's Report for Landscape Maintenance Assessment District 94-1 (Sycamore Crossing).
2. Declare the intent to levy an annual assessment, and establish May 28, 2024, at 6:00 p.m. at City Hall Council Chamber, 300 E Chapman Avenue, Orange, CA 92866, as the time and place for the Public Hearing on the assessment.

Attachments:

[Staff Report](#)

[Resolution No. 11541](#)

[Preliminary Engineer's Report](#)

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. Rapids Express Car Wash Sign on W. Katella Ave. and Main St.

- Discuss permitting Rapids Express Car Wash to use the City of Orange logo.
- Discuss possibly amending the sign code to permit certain digital signs.

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. Annual presentation of Local Appointments List of all City Boards, Commissions, and Committees.

Recommended Action:

1. Confirm Mayor Slater's recommendation to reappoint the following eligible existing positions: CDBG Program Committee Member Jonathan St. Clair for a two-year term expiring June 30, 2026; and Orange Public Library Board of Trustee Members Peggy Calvert and Kathleen Stevens for three-year terms respectively expiring June 30, 2027.
2. Approve the Local Appointments List and direct the City Clerk to post a copy in compliance with the Maddy Act.
3. Direct the City Clerk to post a Notice of Scheduled Vacancy for the following positions:
 - a. Design Review Committee due to expiration of Robert Imboden's final term on June 30, 2024
 - b. Traffic Commission due to expiration of Larry Dick's term on June 30, 2024

Attachments: [Staff Report](#)
 [Local Appointments List](#)
 [2023 Attendance Reports](#)

8. ADMINISTRATIVE REPORTS

8.1. Monthly Treasurer's Reports for January, February, and March 2024.

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)
 [Investment Report for the Period Ending March 31, 2024](#)
 [Monthly Statement for January 2024](#)
 [Monthly Statement for February 2024](#)
 [Monthly Statement for March 2024](#)

- 8.2. **Declare the approximate 3,156 square feet unimproved right-of-way parcel bounded by Walnut Avenue on the north, Milford Road on the west, adjacent to two residential properties located at 455 and 461 North Milford Road, as surplus to the City's needs; and authorize the disposal of the property. Resolution No. 11538.**

Recommended Action:

Adopt Resolution No. 11538. A Resolution of the City Council of the City of Orange finding that certain City-owned real property bounded by Walnut Avenue on the north, Milford Road on the west, adjacent to two residential properties located at 455 and 461 North Milford Road 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: [Staff Report](#)
 [Resolution No. 11538](#)

- 8.3. **Approval of permit parking on both sides of Wayfield Street from Chapman Avenue to the first cul-de-sac north. Resolution 11539.**

Recommended Action:

1. Modify Permit Parking Opportunity Area 3 to include Wayfield Street from Chapman Avenue to the first cul-de-sac north.
2. Approve permit parking on the same segment of Wayfield Street.
3. Approve Resolution 11539, 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](#)
 [Area Map](#)
 [Resolution No. 11539](#)
 [Notification Letter](#)

- 8.4. **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. (Continued from April 9, 2024)**

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 to city candidate 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](#)

9. REPORTS FROM CITY MANAGER

10. LEGAL AFFAIRS

- 10.1. **Introduction and First Reading of Ordinance No. 07-24 containing administrative updates to various sections of Titles 3 and 5 of the Orange Municipal Code.**

Recommended Action:

Introduce and conduct First Reading of Ordinance No. 07-24. An Ordinance of the City Council of the City of Orange amending various sections in Titles 3 and 5 of the Orange Municipal Code to delete outdated language, update references to conform with current law and code provisions, and achieve internal consistency.

Attachments: [Staff Report](#)
 [Ordinance No. 07-24](#)
 [Ordinance No. 07-24 REDLINED](#)

11. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, May 14, 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 18, 2024