



Rick Otto
City Manager

Gary A. Sheatz
City Attorney

Pamela Coleman
City Clerk

AGENDA

City Council December 08, 2020

Joint Meeting with the Orange Industrial Development Authority and the Successor Agency to the Orange Redevelopment Agency

5:00 PM Closed Session

6:00 PM Regular Session

Various Teleconference Locations

MARK A. MURPHY
Mayor

MICHAEL ALVAREZ
Mayor pro tem, District 3

KIMBERLEE NICHOLS
Councilmember

CHIP MONACO
Councilmember

ARIANNA BARRIOS
Councilmember, District 1

JON DUMITRU
Councilmember, District 2

ANA GUTIERREZ
Councilmember, District 5

SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19)

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Please be advised that some, or all, of the City of Orange City Councilmembers and staff will participate in meetings via teleconference.

In response to the Governor's Executive Orders, and to ensure the health and safety of our residents by limiting contact that could spread the COVID-19 virus, there will be no members of the public in attendance at the City Council meetings.

Public Participation

In place of in-person attendance, members of the public are encouraged to watch from the safety of their homes in one of the following ways: Spectrum Cable Channel 3 and AT&T U-verse Channel 99, or streamed live and on-demand on the City's website at www.cityoforange.org.

Members of the public can submit their written comments for any Closed Session item electronically for City Council consideration by emailing them to CCpubliccomment@cityoforange.org. Please submit all written comments by 11:00 a.m. the day of the meeting. Written comments received by 11:00 a.m. may be read aloud by staff at the meeting during the appropriate agenda item. Comments shall be limited to 3 minutes per person; any portion of the comment that exceeds 3 minutes will not be read aloud. Written comments received after 11:00 a.m. will be available to the City Council as part of the public record, but will not be read aloud during the meeting.

Finally, the public can also record their comments by calling (714) 744-2234 no later than 4:00 p.m. the day of the meeting. All public comments will be provided to the Council and compiled as part of the record. Contact the City Clerk's Office at (714) 744-5500 with any questions.

Agenda Information

This agenda contains a brief general description of each item to be considered. 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 www.cityoforange.org. Any documents received after the agenda packet distribution will be made available at the City Clerk Office's office and posted on the City's website. Information may be obtained by calling the City Clerk's Office at (714) 744-5500.

In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, contact the City Clerk's office at (714) 744-5500. Notification as soon as possible prior to the meeting will enable the City to make arrangements to assure accessibility to this meeting.

5:00 PM CLOSED SESSION**1. ROLL CALL****2. PUBLIC COMMENTS**

At this time, members of the public may address the Council on any Closed Session items only. Members of the public may submit their comments in writing, for City Council consideration, by sending them to the City Clerk at CCpubliccomment@cityoforange.org.

3. RECESS TO CLOSED SESSION

- a. Conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9(a) & (d)(1).
 - 1) Case: Orange Park Association v. City of Orange
Orange County Superior Court

4. ADJOURNMENT

The City Council will adjourn to the 6:00 p.m. Regular Session via various teleconference locations.

6:00 PM REGULAR SESSION**1. OPENING****1.1 INVOCATION**

Pastor Craig Hill, Taft Avenue Community Church

1.2 PLEDGE OF ALLEGIANCE

Mayor Pro Tem Alvarez

1.3 ROLL CALL**1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS****2. PUBLIC COMMENTS**

At this time, members of the public may address the Council on any off-agenda items within the subject matter jurisdiction of the Council, provided that NO action may be taken on off-agenda items unless authorized by law. Members of the public can submit their comments in writing for City Council consideration by sending them to the City Clerk at CCpubliccomment@cityoforange.org or by calling (714) 744-2234.

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 November 6, 12, 20, and 25, 2020.**Recommended Action:**

Approve.

Attachments: [Staff Report](#)

- 3.3. Approval of meeting minutes of the City Council of the City of Orange for the November 10, 2020, Regular Meeting; November 17, 2020, Special Meeting; and December 1, 2020, Adjourned Regular Meeting.**

Recommended Action:

Approve minutes as presented.

Attachments: [Staff Report](#)
 [November 10, 2020, Regular Meeting minutes](#)
 [November 17, 2020, Special Meeting minutes](#)
 [December 1, 2020, Adjourned Regular Meeting minutes](#)

- 3.4. Second Amendment to Agreement with TriTech Software Systems for software and maintenance of the Police Department Records Management System.**

Recommended Action:

1. Approve the Second Amendment to agreement with TriTech Software Systems for software and maintenance in an amount not to exceed \$68,482 and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$46,241 from the Federal Asset Forfeiture unreserved fund balance into expenditure account number 355.4011.51670.00000, Federal Asset Forfeiture - Consulting Services.

Attachments: [Staff Report](#)
 [Second Amendment Agreement with TriTech.pdf](#)

- 3.5. Agreement with Darren Doerschel for continued technical support of AV systems and TV systems supporting the City of Orange Council Chamber operations.**

Recommended Action:

Approve the agreement with Darren Doerschel in the amount of \$45,600 for continued technical support of AV systems and TV systems supporting the City of Orange Council Chambers operations, and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Consulting Services Agreement with Darren Doerschel](#)

- 3.6. First Amendment to Attorney Services Agreement with Manning & Kass, Ellrod, Ramirez, Trester, LLP to provide legal services related to litigation defense in the matter of Henry Lee; and Patricia Lee v. City of Orange.**

Recommended Action:

1. Approve a First Amendment to Attorney Services Agreement with Manning & Kass, Ellrod, Ramirez, Trester, LLP in the amount of \$100,000 and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$100,000 from the Self Insurance - Liability unreserved fund balance to expenditure account number 740.0301.51600.00000, Self Insurance - Liability - Legal Services.

Attachments: [Staff Report](#)
 [1st Amend - Manning & Kass, etc](#)

- 3.7. Final Acceptance of Bid No. 190-23; SP-4113; Annual Concrete Replacement at Various Locations FY 2019-2020; and authorization to file Notice of Completion.**

Recommended Action:

Accept Annual Concrete Replacement at Various Locations FY 2019-2020 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 Bid No. 190-38; SP-4111, Annual Pavement Maintenance at Various Locations Project.; and authorization to file Notice of Completion.**

Recommended Action:

Accept Annual Pavement Maintenance at Various Locations Project as complete and authorize staff to file Notice of Completion with the County Recorder.

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

- 3.9. Final Acceptance of Bid No. 20-21.06; SP-4141, Roof Improvements of Fire Station 3; and authorization to file Notice of Completion.**

Recommended Action:

Accept Roof Improvements of Fire Station 3 as complete, and authorize staff to file the Notice of Completion with the County Recorder.

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

3.10. Final Acceptance of Bid No. 190-39; D-176; Collins Avenue and Tustin Street Water Quality Storm Drain Improvements; and authorization to file Notice of Completion.

Recommended Action:

Accept Collins Avenue and Tustin Street Water Quality Storm Drain Improvements as complete; and authorize staff to file Notice of Completion with the County Recorder.

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

3.11. Claims for Damages.

Recommended Action:

Deny the following claim(s) and/or leave to present late claim and refer to City Attorney and Claims Adjuster:

1. Mercury Insurance a/s/o Corinna Pulsifer
2. Natalie Atkinson
3. Allstate Insurance a/s/o Brenda Ruiz
4. Patricia Kuklovsky
5. Juan Guardado
6. Reynaldo L. Ochoa
7. Jose Morales

Attachments: [Staff Report](#)

3.12. Authorize purchase of landscape supplies from SiteOne Landscape Supply as a sole source vendor.

Recommended Action:

1. Authorize SiteOne Landscape Supply as a sole source vendor.
2. Approve a blanket purchase order of \$50,000 with SiteOne Landscape Supply.

Attachments: [Staff Report](#)

3.13. Authorize purchase of network equipment from Sidepath, Inc.

Recommended Action:

Approve the purchase of network equipment from Sidepath, Inc. for \$100,617.

Attachments: [Staff Report](#)
 [Sidepath Quotation](#)

- 3.14. Street Name for TRI Pointe Homes Townhomes Development Tract 18113 Lot 3; southwest corner of Town & Country Road and Parker Street.**

Recommended Action:

Approve the street name for the townhomes development.

Attachments: [Staff Report](#)
 [TriPointe Homes Street Name and Addressing Plan](#)

- 3.15. Water rate pass-through notice for Calendar Year 2021.**

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)
 [Postcard containing pass-through information](#)

- 3.16. Investment Oversight Committee report for the period ending November 30, 2020.**

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)
 [Monthly Treasurer's Reports for July, August, and September 2020](#)

- 3.17. Authorization to submit a transportation improvement project application to the Orange County Transportation Authority for funding under Measure M2 of the Comprehensive Transportation Funding Program. Resolution No. 11289.**

Recommended Action:

Adopt Resolution No. 11289. A Resolution of the City Council of the City of Orange approving the submittal of transportation improvement projects to the Orange County Transportation Authority for funding under the renewed Measure M (M2) of the Comprehensive Transportation Funding Program.

Attachments: [Staff Report](#)
 [Resolution No. 11289](#)
 [Location Map](#)

- 3.18. Extension of the Existence of a Local Emergency Declared by the City Manager /Director of Emergency Services in Response to the COVID-19 (Coronavirus) Pandemic. Resolution No. 11290.**

Recommended Action:

Adopt Resolution No. 11290. A Resolution of the City Council of the City of Orange Confirming the Extension of the Existence of a Local Emergency Declared by the City Manager/Director of Emergency Services in Response to the COVID-19 (Coronavirus) Pandemic.

Attachments: [Staff Report](#)
 [Resolution No. 11290](#)

- 3.19. Local Agency Formation Commission (LAFCO) Boundary Adjustment/Detachment to the Givens Property, 20392 Acres Place. Resolution No. 11291.**

Recommended Action:

Adopt Resolution No. 11291. A Resolution of the City Council of the City of Orange supporting Local Agency Formation Commission of Orange County Application No. CD 20-12 for detachment of approximately 397 square feet of triangular property located adjacent to 20392 Acres Place from the City of Orange to the County of Orange and agreeing to a redistribution of property tax revenue due to the detachment, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Attachments: [Staff Report](#)
 [Attachment 1 - City Council Resolution No. 11291](#)
 [Attachment 2 - LAFCO Notice of 60-day Response Period, October 20, 2020, Includes LAFCO Deannexation Application and Legal Description](#)
 [Attachment 3 - Given's Proposed Lot Line Adjustment](#)
 [Attachment 4 - County Staff Report for Givens Accessory Structure, June 4, 2020](#)
 [Attachment 5 - Scope of Work for Givens Property](#)
 [Attachment 6 - City Council Resolution No. 10840](#)
 [Attachment 7 - City Council Meeting Minutes, February 5, 2015](#)
 [Attachment 8 - City Council Staff Report, February 5, 2015](#)

3.20. Accept a portion of Batavia Street into the City Street System. Resolution No. 11292.

Recommended Action:

Adopt Resolution No. 11292. A Resolution of the City Council of the City of Orange Accepting Certain Roads and Streets into the City Street System.

Attachments: [Staff Report](#)
 [Resolution No. 11292](#)

SUCCESSOR AGENCY TO THE ORANGE REDEVELOPMENT AGENCY

3.21. Recognized Obligation Payment Schedule for the fiscal period covering July 1, 2021 through June 30, 2022 (ROPS 21-22). Resolution No. SAORA-034.

Recommended Action:

1. Adopt Resolution No. SAORA-034, A Resolution of the Governing Board of the Successor Agency to the Orange Redevelopment Agency approving a Recognized Obligation Payment Schedule for the fiscal period covering July 1, 2021 through June 30, 2022 (ROPS 21-22), pursuant to Health and Safety Code Section 34177, and taking certain related actions.
2. Direct staff to transmit ROPS 21-22 and related Administrative Budgets to the Orange Countywide Oversight Board of the Successor Agency to the Orange Redevelopment Agency.

Attachments: [Staff Report](#)
 [Resolution No. SAORA-034](#)
 [ROPS 21-22](#)

INDUSTRIAL DEVELOPMENT AUTHORITY

3.22. Approval of meeting minutes of the Industrial Development Authority of the City of Orange for the December 10, 2019, Regular Meeting.

Recommended Action:

Approve minutes as presented.

Attachments: [Staff Report](#)
 [December 10, 2019, Regular Meeting minutes](#)

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR MURPHY

4.1. Council Reorganization

5. REPORTS FROM COUNCILMEMBERS

- 5.1. Term Limits (Barrios)
- 5.2. Certified Local Government (Barrios)
- 5.3. Annexation of County Islands (Gutierrez)
- 5.4. Public Comment Policy (Gutierrez)
- 5.5. Highlighting of Local Businesses (Gutierrez)
- 5.6. City Council Health, Welfare and Reimbursement (Dumitru)

6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS**7. ADMINISTRATIVE REPORTS****8. REPORTS FROM CITY MANAGER**

- 8.1. Review of the Orange Plaza Paseo (Closure of the 100 blocks of North and South Glassell Street).

Recommended Action:

Continue the closure of the 100 blocks of North and South Glassell Street, as well as the citywide outdoor dining and retail program, until such time that State or local restrictions are lifted, or by City Council direction.

Attachments: [Staff Report](#)

9. LEGAL AFFAIRS

- 9.1. Second Reading and adoption of an Ordinance of the City Council of the City of Orange adding Chapter 2.11 requiring electronic filing of Campaign Statements and Statements of Economic Interest.

Recommended Action:

Adopt Ordinance No. 18-20.

Attachments: [Staff Report](#)
 [Ordinance No. 18-20](#)

10. ITEMS RELATING TO THE SUCCESSOR AGENCY TO THE ORANGE REDEVELOPMENT AGENCY - None

11. PUBLIC HEARINGS

11.1. 32-unit Cohen Residential Project located at 1997 N. Orange Olive Road and 301-347 E. Grove Avenue.

Time set for a public hearing to consider approval of Zone Change No. 1297-19, Tentative Tract Map No. 0049-19, Major Site Plan Review No. 0969-19, Design Review No. 4969-19, and Subsequent Mitigated Negative Declaration No. 1865-19.

Recommended Action:

1. Introduce and approve Ordinance No. 20-20 for First Reading. An Ordinance of the City Council approving Zone Change No. 1297-19 to change the zoning from Limited Business (C-1) to Residential Multifamily-Specific Plan [R-3 (SP)] and associated Amendment to the Orange Olive Specific Plan for property located at 1997 N. Orange Olive Road and 301-347 E. Grove Avenue.
2. Adopt Resolution No. 11288. A Resolution of the City Council of the City of Orange adopting Subsequent Mitigated Negative Declaration No. 1865-19 and associated Mitigation Monitoring and Reporting Program, and approving Tentative Tract Map No. 0049-19, Major Site Plan Review No. 0969-19, and Design Review No. 4969-19 to redevelop an existing 2.9 acre multi-tenant commercial shopping center site with 32, two-story detached residential condominium units and related site improvements, located at 1997 N. Orange Olive Road and 301-347 E. Grove Avenue.

Attachments:

[Staff Report](#)

[Attachment 1 Ordinance No. 20-20](#)

[Attachment 2 City Council Resolution No. 11288 including Mitigation Monitoring and Reporting Program](#)

[Attachment 3 Vicinity Map](#)

[Attachment 4 Site Photographs](#)

[Attachment 5 Final Subsequent MND No. 1865-19 Hyperlink](#)

[Attachment 6 Amendment to the Orange Specific Plan Hyperlink](#)

[Attachment 7 November 2, 2020 Planning Commission Staff Report](#)

[Attachment 8 November 2, 2020 Planning Commission Resolution No. PC 29-20](#)

[Attachment 9 November 2, 2020 Planning Commission Draft Meeting Minutes](#)

[Attachment 10 September 16, 2020 Design Review Committee Staff Report](#)

[Attachment 11 September 16, 2020 Design Review Committee Minutes](#)

[Attachment 12 Project Plans, and Colors and Materials Board, Date Stamped Received October 6, 2020](#)

- 11.2. Public Hearing to consider approval of Development Agreement No. 0006-20 (Agreement No. 4545.OC.1) with CalOptima for a development project located on the southeast corner of Lewis Street and City Parkway West.**

Recommended Action:

Introduce and approve Ordinance No. 19-20 for First Reading. An Ordinance of the City Council of the City of Orange approving a First Amendment to Amended and Restated Development Agreement (AGR-4545.OC) by and between the City of Orange and Orange County Health Authority (CalOptima) for a development project on the "605 Building Site," located on the southeast corner of Lewis Street and City Parkway West (605 City Parkway West).

Attachments: [Staff Report](#)
[Attachment 1 Draft Ordinance No. 19-20](#)
[Attachment 2 Draft First Amendment to the Amended and Restated Development Agreement](#)
[Attachment 3 Planning Commission Staff Report dated October 19, 2020](#)

- 11.3. Continued Public Hearing to consider a Participation Agreement between the City of Orange and Providence Procurement Company, LLC. (Continued from 11/10/20)**

Recommended Action:

Continue to the January 12, 2021, Regular City Council meeting.

Attachments: [Staff Report](#)

12. ITEMS RELATED TO THE INDUSTRIAL DEVELOPMENT AUTHORITY

- 12.1. Report from the Finance Director of the Industrial Development Authority of the City of Orange.**

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)

13. ADJOURNMENT

The next Regular City Council meeting will be held on January 12, 2021 at 6:00 p.m., via various teleconference locations, 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, 407 E. Chapman Avenue, Police facility at 1107 North Batavia Street, and uploaded to the City's website www.cityoforange.org.

Date posted: December 3, 2020

In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, contact the City Clerk's office at (714) 744-5500. Notification at least 48 hours prior to the meeting will enable the City to make arrangements to assure accessibility to this meeting.