



AGENDA

City Council March 09, 2021

Rick Otto
City Manager

Gary A. Sheatz
City Attorney

Pamela Coleman
City Clerk

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

Various Teleconference Locations

MARK A. MURPHY
Mayor

KIMBERLEE NICHOLS
Mayor pro tem

CHIP MONACO
Councilmember

ARIANNA BARRIOS
Councilmember, District 1

JON DUMITRU
Councilmember, District 2

MICHAEL ALVAREZ
Councilmember, District 3

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 (superseding the Brown Act related provisions of Executive Order N-25-20 issued on March 12, 2020), 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. Pursuant to Executive Order N-29-20, 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, except to provide in-person Public Comment as outlined below.

Public Participation

In place of in-person attendance, the City Council meeting may be viewed 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.

In addition, the following options are available to the public to address the City Council on any agenda items or matters within the jurisdiction of the governing body:

1) Public Comments via e-mail 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.

Effective February 9, 2021, written comments will no longer be read aloud.

2) In-person Comments

Members of the public can provide in-person comments via microphone in the Council Chamber at City Hall. Social distancing measures will be in place, masks are required, and once a participant has made a public comment, the participant will be asked to exit the building. Public comments are limited to three (3) minutes per speaker.

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.

Please 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, the City Clerk's Office located at 300 E. Chapman Avenue, and the Main Public Library located at 407 E. Chapman Avenue. Written materials relating to an item on this Agenda that are distributed 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 at the City Clerk Office's office during normal business hours; and made available on the City's website subject to staff's ability to post the documents before the regularly scheduled meeting. 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 – Anticipated litigation pursuant to Government Code Section 54956.9(d)(2)-(4). (One case)

4. REPORT ON CLOSED SESSION ACTIONS**5. 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 Danny Kurimay, Bridge Community Church

1.2 PLEDGE OF ALLEGIANCE

Councilmember Jon Dumitru

1.3 ROLL CALL**1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS**

Santiago Canyon College Update by Jose Vargas, Interim President

70th Wedding Anniversary of Francisco and Consuelo Gutierrez

Memorial Adjournment for Larry Tannas

Memorial Adjournment for Neal Redfern

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 CCpubliccomment@cityoforange.org or by clicking on the City's eComment page. In addition to electronic comments, members of the public can provide in-person comments via microphone in the Council Chamber. Public Comments are limited to three (3) minutes per speaker. Finally, the public can leave a recorded message by calling (714) 744-2234. Please refer to pages 1 and 2 of the agenda for more information and detailed instructions.

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 February 4, 12, 18, and 26, 2021.**Recommended Action:**

Approve.

Attachments: [Staff Report](#)

3.3. Approval of meeting minutes of the City Council of the City of Orange for the February 9, 2021, Regular Meeting; February 16, 2021, Special Meeting; and February 23, 2021, Adjourned Regular Meeting.**Recommended Action:**

Approve minutes as presented.

Attachments: [Staff Report](#)
[February 9, 2021, Regular Meeting minutes](#)
[February 16, 2021, Special Meeting minutes](#)
[February 23, 2021, Adjourned Regular Meeting minutes](#)

3.4. First Amendment to the Agreement with Major League Infields, Inc. for maintenance of baseball and softball infields and subsequent appropriation of \$30,000.**Recommended Action:**

1. Approve amendment with Major League Infields, Inc. in the amount not-to-exceed \$30,000 for additional infield maintenance and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$30,000 from General Fund unreserved fund balance to expenditure account 100.7022.51420.00000 General Fund - Maintenance Contracts.

Attachments: [Staff Report](#)
[First Amendment to Maintenance Service Agreement](#)

3.5. Agreement with Insight Enterprises, Inc. for Microsoft Enterprise software licenses for all City computers and servers.**Recommended Action:**

Approve the agreement with Insight Enterprises, Inc. in the amount of \$986,402 for Microsoft software licensing and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Microsoft Enterprise Agreement](#)
 [Quote from Insight Enterprises, Inc.](#)
 [Quote from SoftwareONE](#)

- 3.6. Agreement with Sidepath, Inc. for the purchase of Blackberry's Cylance anti-virus software for a three-year term.**

Recommended Action:

Approve the agreement with Sidepath, Inc. in the amount of \$88,779.80 for three years of anti-virus software from Blackberry and authorize the Mayor and the City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Sidepath Quote No. SIDQ32421-01](#)
 [NASPO California Contract Number 7-17-70-40-05](#)

- 3.7. Agreement with Triad Consulting & System Design Group, L.L.C. for security consulting services.**

Recommended Action:

Approve the agreement with Triad Consulting & System Design Group, L.L.C. in the total amount of \$31,240, representing an original agreement amount of \$28,400, plus a 10% contingency of \$2,840, for security consulting services and authorize the Mayor and City Clerk to execute on behalf of the City.

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

- 3.8. Appropriation of \$500,000 in Local Early Action Planning grant funds.**

Recommended Action:

1. Accept into the City's revenue budget a \$500,000 grant from the California Department of Housing and Community Development, into the following revenue account numbers of the Reimbursable Capital Projects (550) fund:

\$300,000	550.6011.45290.30143 - North Tustin Specific Plan
\$200,000	550.6011.45290.19797 - Housing Element
2. Authorize the appropriation of \$500,000 into the following expenditure account numbers for consultant services reimbursements:

\$300,000	550.6011.51670.30143 - North Tustin Specific Plan
\$200,000	550.6011.51670.19797 - Housing Element

Attachments: [Staff Report](#)
 [Agreement with HCD](#)

3.9. Appropriation of \$1,013,690.56 in State of California Office of Emergency Services funding received.**Recommended Action:**

1. Accept into the City's revenue budget \$1,013,690.56 in strike team reimbursement funds from The California State Office of Emergency Services, into the following revenue account numbers for CAL EMA reimbursements:
 - \$ 88,480.71 100.3024.48212.40240 - Gold Fire
 - \$ 303,143.45 100.3024.48212.40247 - LNU Lightning Complex Fire
 - \$ 362,322.39 100.3024.48212.40253 - El Dorado Fire
 - \$ 259,744.01 100.3024.48212.40257 - August Complex Fire
2. Authorize the appropriation of \$996,370.43 into the following expenditure account numbers for Overtime-Safety:
 - \$ 86,965.74 100.3024.50221.40240 - Gold Fire
 - \$ 293,971.98 100.3024.50221.40247 - LNU Lightning Complex Fire
 - \$ 360,315.99 100.3024.50221.40253 - El Dorado Fire
 - \$ 255,116.72 100.3024.50221.40257 - August Complex Fire
3. Authorize the appropriation of \$17,320.13 into the following expenditure account numbers for Strike Team Expenditures:
 - \$ 1,514.97 100.3024.53860.40240 - Gold Fire
 - \$ 9,171.47 100.3024.53860.40247 - LNU Lightning Complex Fire
 - \$ 2,006.40 100.3024.53860.40253 - El Dorado Fire
 - \$ 4,627.29 100.3024.53860.40257 - August Complex

Attachments: [Staff Report](#)

3.10. Approval of plans and specifications and authorization to advertise for bids for Steel Streetlight Pole Replacement, Fiscal year 2020-2021; Bid No. 20-21.45, SP-4140.**Recommended Action:**

Approve plans and specifications and authorize advertising for bids for Steel Streetlight Pole Replacement, Fiscal Year 2020-2021.

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

3.11. Claims for Damages.**Recommended Action:**

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

1. Wawanesa General Insurance a/s/o Leo Vukmanovich Jr.
2. Allstate Insurance a/s/o Rodger Busch
3. Charles J. Kaupke
4. Mercury Insurance a/s/o Virginia Mann
5. Adam White
6. Amanda Victor

Attachments: [Staff Report](#)

- 3.12. First Amendment to Contract, Bid No. 20-21.4, SP-4150; Annual Concrete Replacement at Various Locations, FY 2020-2021 with CJ Concrete Construction, Inc.**

Recommended Action:

Approve First Amendment to Contract in the amount of \$65,890 to CJ Concrete Construction, Inc. for Chapman Avenue Sidewalk and emergency repair work as part of the Annual Concrete Replacement at Various Locations, FY 2020-2021, and authorize the Mayor and City Clerk to execute on behalf of the City.

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

- 3.13. Award of Contract to Far Electric, Inc. to furnish and install a new walk-in DNA evidence freezer at the Orange Police Department; Bid No. 20-21.34 (Ref. 20-21.43).**

Recommended Action:

Approve the contract with Far Electric, Inc. in the total amount of \$113,046, representing an original bid amount of \$102,769, plus a 10% contingency of \$10,277, to furnish and install a new walk-in freezer; and authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

Attachments: [Staff Report](#)
 [Contract](#)
 [Bid Abstract](#)

- 3.14. First Amendment to the contract with International Line Builders, Inc. for two Federal Highway Safety Improvement Program Left Turn Phasing Signal Modification Projects; and appropriation of \$60,000 of unreserved funds: Bid No. 178-02.**

Recommended Action:

1. Approve the First Amendment to Contract with International Line Builders, Inc. in the amount of \$88,999.51 for various changes in scope of work as part of two Federal Highway Safety Improvement Program Left Turn Phasing Signal Modification Projects: 1) Glassell Street and Walnut Avenue and 2) Chapman Avenue at James Street, and authorize the Mayor and City Clerk to execute on behalf of the City.
2. Authorize the appropriation of \$60,000 from the Renewed Measure M (263) unreserved fund balance to expenditure account number 263.5032.56100.30030, Renewed Measure M - HSIP Chapman & James.
3. Authorize the transfer of \$9,000 from expenditure account number 263.5032.56100.30029 Renewed Measure M (263), Glassell & Walnut, to expenditure account number 263.5032.56100.30030, Renewed Measure M

(263), Chapman & James.

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

- 3.15. Authorize purchase of copper cabling documentation and cleanup services from Mark IV Communications, Inc. as a sole source vendor.**

Recommended Action:

Approve a blanket purchase order of \$60,000 with Mark IV Communications, Inc.

Attachments: [Staff Report](#)
 [Quotation from Mark IV Communications, Inc.](#)

- 3.16. A 24-month time extension to initiate a project currently programmed under the Orange County Transportation Authority's (OCTA) Community-Based Transit/Circulators (Project V) Program.**

Recommended Action:

Authorize the Public Works Department's request for a 24-month time extension to initiate a project currently programed under the Orange County Transportation Authority's (OCTA) Community-Based Transit/Circulators (Project V) Program and authorize staff to submit the extension to OCTA for approval.

Attachments: [Staff Report](#)

- 3.17. Investment Oversight Committee report for the period ending February 28, 2021.**

Recommended Action:

Receive and file.

Attachments: [Staff Report](#)
 [Monthly Treasurer's Reports for October, November, and December 2020](#)

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR MURPHY

5. REPORTS FROM COUNCILMEMBERS

- 5.1. Councilmembers returning to Council Chamber (Monaco)**

5.2. City Accomplishments (Monaco)**5.3. Opposition to SB 9 and SB 10 (Monaco)****5.4. Public Comment Policy (Gutierrez)****6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS****7. ADMINISTRATIVE REPORTS****7.1. Status of Fiscal Year 2020-21 budget and preliminary projections for Fiscal Year 2021-22 budget preparation.****Recommended Action:**

Receive and file report, and approve in one motion the following:

1. Authorize the transfer of \$1,000,000 from the unreserved fund balance of the General Fund to the Business Investment Fund (115).
2. Authorize the transfer of \$800,000 from the unreserved fund balance of the General Fund to the EMT Fund (125).
3. Authorize the transfer of \$554,000 from the unreserved fund balance of the Workers Compensation Fund (730) to the Liability Fund (740).
4. Authorize the appropriation of \$492,000 from the Liability Fund (740) unreserved fund balance to expenditure account number 740.0312.52310.00000, Liability Claims Paid.
5. Authorize the appropriation of \$62,000 from the Liability Fund (740) unreserved fund balance to expenditure account number 740.0312.52011.00000, Public Liability Premium.
6. Authorize the appropriation of \$90,000 from the Employee Accrued Liability Fund (760) unreserved fund balance to expenditure account number 760.1401.52215.00000, Unemployment Claims.
7. Authorize the appropriation of \$400,000 from the Measure M2 Fund (263) unreserved fund balance to expenditure account number 263.5011.56330.13120,
8. Adopt Resolution No. 11306. A Resolution of the City Council of the City of Orange relating to the classification, compensation, and terms of employment of Executive Management and Senior Management employees, and repealing Resolution No. 11269 and all amendments thereto.
9. Adopt Resolution No. 11307. A Resolution of the City Council of the City of Orange amending the citywide pay schedule in accordance with the requirements of California Code of Regulations, Title 2, Section 570.5.

Attachments: [Staff Report](#)
 [General Fund - Mid-Year Report Ending 12/31/20](#)
 [Mid-Year Work Plan Report](#)
 [Resolution No. 11306](#)
 [Resolution No. 11307](#)

7.2. Discussion of process for possible annexation of the El Modena and North El Modena county islands.

Recommended Action:

1. Receive and file.
2. Provide staff with direction on whether to proceed with a service and public infrastructure assessment of the El Modena and North El Modena county islands.

Attachments: [Staff Report](#)
 [City of Orange El Modena Island Information Packet](#)
 [City of Orange North El Modena Island Information Packet](#)

7.3. 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. 11305.

Recommended Action:

Adopt Resolution No. 11305. 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](#)
 [Resolutin No. 11305](#)

8. REPORTS FROM CITY MANAGER

9. LEGAL AFFAIRS

10. PUBLIC HEARINGS

10.1. Public Hearing to consider Introduction and First Reading of a proposed ordinance updating the Accessory Dwelling Unit provisions of the Orange Municipal Code.

Recommended Action:

Introduce and conduct First Reading of Ordinance No. 03-21. An Ordinance of the City Council of the City of Orange amending Title 3 of the Orange Municipal Code relating to payment of park and library facilities fees for dormitory-style housing projects, and amending Title 17 of the Orange Municipal Code to add definitions, revise procedures for review, and establish standards for processing applications for accessory dwelling

units.

Attachments: [Staff Report](#)

[Attachment 1 - City Council Ordinance No. 03-21](#)

[Attachment 2 - Planning Commission Resolution No. PC 09-21 with proposed City Council Ordinance No. XX-21](#)

[Attachment 3 - Draft Planning Commission Minutes Dated February 17, 2021](#)

[Attachment 4 - Planning Commission Staff Report Dated February 17, 2021](#)

[Attachment 5 - Government Code Section 65852.2](#)

[Attachment 6 - Government Code Section 65852.22](#)

[Attachment 7 - Public Comments](#)

10.2. Continued Public Hearing to consider introduction and first reading of a proposed Ordinance amending Animal Regulations. Ordinance No. 01-21. (Continued from February 9, 2021)

Recommended Action:

Introduce and conduct First Reading of Ordinance No. 01-21. An Ordinance of the City Council of the City of Orange amending Chapter 6.04 of the Orange Municipal Code relating to animal regulations and adopting Title 4, Division 1, and Title 5, Divisions 1, 2, and 3 of the Codified Ordinances of the County of Orange in pertinent part.

Attachments: [Staff Report](#)

[Ordinance No. 01-21 Animal Regulations](#)

[Redline of Ordinance No.101-21 Animal Regulations](#)

11. ADJOURNMENT

The City Council will Adjourn in Memory of Larry Tannas and Neal Redfern to an Adjourned Regular Meeting on Tuesday, March 23, 2021, at 6:00 p.m., via various teleconference locations, with Closed Session beginning at 5:00 p.m. if necessary.

The next Regular City Council meeting will be held on Tuesday, April 13, 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: March 4, 2021