



Tom Kisela
Interim City Manager

Gary A. Sheatz
City Attorney

Pamela Coleman
City Clerk

AGENDA

City Council December 13, 2022

Joint Meeting with the Successor Agency to the Orange Redevelopment Agency

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

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

MARK A. MURPHY
Mayor

KIMBERLEE NICHOLS
Mayor pro tem

CHIP MONACO
Councilmember

ARIANNA BARRIOS
Councilmember, District 1

JON DUMITRU
Councilmember, District 2

KATHY TAVOULARIS
Councilmember, District 3

ANA GUTIERREZ
Councilmember, District 5

The City of Orange City Council welcomes you to this meeting and encourages your participation. Regular City Council meetings are held on the second 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 and address, and identifying 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.

2) Written Public Comments via email 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 written comments by 3:00 p.m. the day of the meeting. All written comments will be provided to the Council and posted on the City's website.

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: Deanna Garcia v. Gutierrez, et al.
Orange County Superior Court Case No. 30-2020-01125092

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 Tim Klinkenberg, St. John's Lutheran Church of Orange

1.2 PLEDGE OF ALLEGIANCE

Mayor Mark A. Murphy

1.3 ROLL CALL**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Memorial Adjournment in honor of Rudolph "Rudy" Diaz

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.

3.2. Confirmation of warrant registers dated November 4, 10, 18, and 23, 2022.**Recommended Action:**

Approve.

Attachments: [Staff Report](#)

3.3. Approval of amended minutes of the City of Orange City Council Regular Meeting held on July 13, 2021.**Recommended Action:**

Approve minutes as amended.

Attachments: [Staff Report](#)
[7-13-2021 amended minutes for report out of closed session summary](#)

3.4. Approval of minutes of the City of Orange City Council Adjourned Regular Meeting held on November 15, 2022.

Recommended Action:

Approve minutes as presented.

Attachments: [Staff Report](#)
[November 15, 2022, Adjourned Regular Meeting minutes](#)

3.5. Historic Property Preservation Agreements (Mills Act Contracts) for nine qualified historic properties.

Recommended Action:

Approve nine Mills Act Contracts between the City of Orange and the identified property owners for the preservation and rehabilitation of qualified historic properties; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
[Summary of Nine Mills Act Applications](#)
[Mills Act Contract MAC 412.0-22 with Photograph](#)
[Mills Act Contract MAC 419.0-22 with Photograph](#)
[Mills Act Contract MAC 420.0-22 with Photograph](#)
[Mills Act Contract MAC 422.0-22 with Photograph](#)
[Mills Act Contract MAC 423.0-22 with Photograph](#)
[Mills Act Contract MAC 424.0-22 with Photograph](#)
[Mills Act Contract MAC 425.0-22 with Photograph](#)
[Mills Act Contract MAC 426.0-22 with Photograph](#)
[Mills Act Contract MAC 427.0-22 with Photograph](#)

3.6. Appropriation of \$530,000 in Comprehensive Transportation Funding Programs - Project X Tier 1 2022 Environmental Cleanup Program fund and Sanitation and Sewer fund for the Taft Avenue & Lewis Street Water Quality Storm Drain Improvement Project.

Recommended Action:

1. Accept into the City's revenue budget \$400,000 in grant funds from the OCTA Tier 1 Environmental Cleanup Program, into revenue account number 550.5011.45460.30215, Reimbursable Capital Projects - Taft Avenue & Lewis Street Water Quality Storm Drain Improvement Project.
2. Authorize the appropriation of \$400,000 to expenditure account number 550.5011.56340.30215, Reimbursable Capital Projects - Taft Avenue & Lewis

Street Water Quality Storm Drain Improvement Project.

3. Authorize the appropriation of \$130,000 to expenditure account number 220.5011.56340.30215, Sanitation and Sewer - Taft Avenue & Lewis Street Water Quality Storm Drain Improvement Project.

Attachments: [Staff Report](#)
 [OCTA ECP Project X Tier 2022 Programming Recommendations](#)

- 3.7. **Appropriation of \$30,000 in designated grant funding received from California State Library.**

Recommended Action:

1. Accept into the City's budget \$30,000 in grant funds from California State Library into revenue account number 100.2001.45290.30213, General Fund - Sustainable Orange Grant.
2. Authorize the appropriation of \$30,000 in grant funds into expenditure account number 100.2016.53340.30213, General Fund - Sustainable Orange Grant.

Attachments: [Staff Report](#)
 [Sustainable Orange Grant Award Letter](#)

- 3.8. **Award of Contract to Tess Electric, Inc. for electrical improvements at Wells 23 and 24.**

Recommended Action:

Approve the contract with Tess Electric, Inc. in the amount of \$35,532 for electrical improvements at Wells 23 and 24; and authorize the Mayor and City Clerk to execute on behalf of the City.

Attachments: [Staff Report](#)
 [Contract with Tess Electric, Inc.](#)

- 3.9. **Second Reading and adoption of an Ordinance of the City Council of the City of Orange approving a development agreement with Old Town Gateway, LLC for a project on a site located at 401 W. Chapman Avenue and 135 N. Atchison Street. Development Agreement No. 0008-22. Ordinance No. 08-22.**

Recommended Action:

Adopt Ordinance No. 08-22.

Attachments: [Staff Report](#)
 [Ordinance No. 08-22](#)

- 3.10. **Second Reading and adoption of an Ordinance of the City Council of the City of Orange creating the Neighborhood Preservation Overlay Zone; providing development standards to regulate the addition of bedrooms or bathrooms to a primary residence within specified boundaries; revising or adding definitions pertaining to residential additions and student housing; and updating provisions**

for reviewing body approval of specified matters. Ordinance No. 10-22.

Recommended Action:

Adopt Ordinance No. 10-22.

Attachments: [Staff Report](#)
 [Ordinance No. 10-22](#)

- 3.11. Second Reading and adoption of an Ordinance of the City Council of the City of Orange amending various sections 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. 09-22.

Recommended Action:

Adopt Ordinance No. 09-22.

Attachments: [Staff Report](#)
 [ORD-09-22 OMC Administrative Updates](#)

SUCCESSOR AGENCY TO THE ORANGE REDEVELOPMENT AGENCY

- 3.12. Recognized Obligation Payment Schedule for the fiscal period covering July 1, 2023 through June 30, 2024 (ROPS 23-24). Resolution No. SAORA-036.

Recommended Action:

1. Adopt Resolution No. SAORA-036. 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, 2023, through June 30, 2024 (ROPS 23-24), pursuant to Health and Safety Code Section 34177, and taking certain related actions.
2. Direct staff to transmit ROPS 23-24 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-036](#)

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR MURPHY

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. Resolution supporting the Iranian-American community. (Tavoularis)**Recommended Action:**

Consider adoption of Resolution No. 11429. A Resolution of the City Council of the City of Orange declaring support of the Iranian-American community and condemning the violence perpetrated by the government of Iran against its people.

Attachments: [Staff Report](#)
 [Resolution No. 11429](#)

6. REPORTS FROM CITY MANAGER**7. RECOGNITION OF OUTGOING COUNCILMEMBER CHIP MONACO****8. RECOGNITION OF OUTGOING MAYOR PRO TEM KIMBERLEE NICHOLS****9. RECOGNITION OF OUTGOING MAYOR MARK A. MURPHY****10. ADJOURNMENT**

The Oath of Office Ceremony will be held at a Special Meeting on Thursday, December 15, 2022, at 6:00 p.m., in the Council Chamber.

The next Regular City Council meeting will be held on Tuesday, January 10, 2023, 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: December 8, 2022