

## **MINUTES - FINAL**

### **City of Orange**

#### **City Council**

October 13, 2021

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The City Council of the City of Orange, California convened on Wednesday, October 13, 2021, at 4:00 p.m. in an Adjourned Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

### **4:00 PM EMPLOYEE RECOGNITION**

#### **1. OPENING/WELCOME**

Mayor Murphy welcomed everyone.

#### **2. EMPLOYEE SERVICE AWARDS**

Recognition of employee service.

#### **3. RECESS**

The City Council recessed at 4:22 p.m. and convened in Closed Session.

### **4:15 PM CLOSED SESSION**

#### **1. ROLL CALL**

Councilmember Tavoularis joined Closed Session at 4:35 p.m.

**Present:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Absent:** None

#### **2. PUBLIC COMMENTS**

##### Public Speakers

The following spoke in support of Mary's Kitchen: Ellen Roy, Lisa Pedersen, Curt Johnston, Paul Hyek, Jeff Pedersen, Nancy VanValkenburgh, Derek King, Renee Rowley, Amy Tamayose, Edward Saxelby, James Dollins, Sashie Vick, David Oviedo, Shawn Runyan, Imelda Aguilera, Gary Ward, and Jaqueline Perez.

##### Written Public Comments

The following submitted emails in support of Mary's Kitchen: Adam Overton, Robbi Nester, Joel Robinson, Bonnie Robinson, El Centro Cultural de Mexico, Rabbi Stephen J. Einstein, Veronica Encinas, KC Marie Pandell, Suzanne Model, Biff Baker, Felicity Figueroa, Kelly Achee, Cindy Ashley, Susan Guilford, League of Women Voters of

Central Orange County Area, Rona Henry, Ramesh C. Joshi, Rev. Rayna Hamre, Christine Morinello, Anonymous, and Karen Stone.

### **3. RECESS TO CLOSED SESSION**

The City Council recessed to Closed Session at 5:00 p.m. with all Members present to discuss the following:

#### **a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(a) & (d)(1)

Name of Case: Mary's Kitchen, et al. v. City of Orange

United States District Court Case No. 8:21-cv-01483-JVS-KES

Pursuant to Government Code Section 54956.9(a) & (d)(1)

Name of Case: Paula Acken, et al. v. City of Orange

Orange County Superior Court Case No. 30-2021-01207319

#### **b. PUBLIC EMPLOYEE APPOINTMENT**

Pursuant to Government Code Section 54957(b)

Title: City Manager

### **4. CLOSED SESSION REPORT**

None

### **5. ADJOURNMENT**

At 6:05 p.m., the City Council adjourned the Closed Session to its Regular Meeting in the Council Chamber.

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

Mayor Murphy called the meeting to order at 6:16 p.m.

**1.1 INVOCATION**

Given by Mr. Micah Raebel from St. John's Lutheran Church of Orange.

**1.2 PLEDGE OF ALLEGIANCE**

Led by Mayor Mark A. Murphy.

**1.3 ROLL CALL**

**Present:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Absent:** None

**1.4 PRESENTATIONS/ANNOUNCEMENTS**

Presentation of Centennial History Book by Rotary Club of Orange.

Proclamation recognizing former Councilmember Michael Alvarez.

Proclamation recognizing 2020 Tokyo Olympian Jack Williams for Archery.

Proclamation recognizing 2020 Tokyo Olympian Phillip Chew for Badminton.

Proclamation recognizing 2020 Tokyo Olympian Ryan Chew for Badminton.

Proclamation recognizing 2020 Tokyo Olympian Sakura Kokumai for Karate.

Proclamation recognizing the 50th Anniversary of 1971 14U Orange Pony World Series Champions. There were members of the team that could not attend due to health issues so Council continued the Proclamation to a future City Council meeting.

Recognition of 2021 9U Olive Pony World Series Champions.

Presentation of Orange County proclamation recognizing Hispanic Heritage month.

**2. PUBLIC COMMENTS**Public Speakers

Michael Condia expressed concerns with 5G cell towers.

Anatoli Y. Chalyal greeted the Council and requested more time to speak.

(Item 10.3 was re-ordered to be heard after Public Comment)

**The following item began at 7:00 PM.**

**10.3. Public Hearing to receive input from the community regarding the redrawing of Election District boundaries.**

Senior Assistant to the City Manager Aaron Schulze announced in Spanish that live translation services were available upon request, and City Clerk Coleman confirmed

that the Clerk's Office did not receive any requests for live translation services.

Dr. Justin Levitt, National Demographics Corporation, reviewed the redistricting process, and answered Council's questions. The public participation kit is available in paper format and electronically on the City's redistricting website. He suggested grouping communities of interest when drawing district lines before considering population. The first round of draft maps will be presented at the December 14 City Council meeting.

Mayor Murphy opened the Public Hearing at 7:26 p.m.

Public Speaker

Sammy Rodriguez declared El Modena barrio's desire for District 5 to remain unchanged.

Mayor Murphy closed the Public Hearing at 7:27 p.m.

A motion was made by Councilmember Monaco, seconded by Councilmember Barrios, to 1) Receive and file the 2020 Census demographic data; 2) Solicit testimony regarding mandatory criteria and traditional criteria to be used for redistricting, adopt criteria for redistricting, and identify communities of interest; 3) Adopt criteria, including identifying communities of interest, for redistricting; and 4) Instruct the City's demographics consultant, National Demographics Corporation (NDC) to prepare draft district maps. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

(Item 10.1 was re-ordered to be heard after Item 10.3)

**10.1. Public Hearing to consider adopting the City of Orange 2020 Urban Water Management Plan (UWMP). Resolution No. 11357 and Ordinance No. 16-21.**

Water Manager Jose Diaz provided the staff report and answered Council's questions. He clarified that current water restrictions and prohibitions will remain in the Orange Municipal Code. In order to comply with new state mandated requirements, the proposed ordinance establishes six levels of water supply shortage response actions. These levels and actions are defined in the Water Shortage Contingency Plan adopted by the City.

Mayor Murphy opened the Public Hearing at 7:46 p.m.; there being no speakers, Mayor Murphy closed the Public Hearing at 7:47 p.m.

A motion was made by Mayor pro tem Nichols, seconded by Councilmember Monaco, to adopt Resolution No. 11357. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Tavoularis, Gutierrez, and Murphy

**Noes:** Dumitru

**Absent:** None

Resolution No. 11357. A Resolution of the City Council of the City of Orange adopting the City of Orange 2020 Urban Water Management Plan and 2020 Water Shortage Contingency Plan.

**10.1. Public Hearing to consider adopting the City of Orange 2020 Urban Water Management Plan (UWMP). Resolution No. 11357 and Ordinance No. 16-21.**

A motion was made by Mayor pro tem Nichols, seconded by Councilmember Monaco, to introduce and approve Ordinance No. 16-21 for First Reading. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Tavoularis, Gutierrez, and Murphy

**Noes:** Dumitru

**Absent:** None

Ordinance No. 16-21. An Ordinance of the City Council of the City of Orange deleting Chapter 7.02 of the Orange Municipal Code (the Water Conservation and Water Supply Shortage Program) and adopting new Chapter 7.02 (the Water Shortage Contingency Response Ordinance).

**10.2. Public Hearing to consider conduit tax-exempt bond financing for the Corp Yard Affordable Housing Project, Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing.**

Senior Assistant to the City Manager Schulze provided a brief staff report.

Mayor Murphy opened the Public Hearing at 7:51 p.m.; there being no speakers, Mayor Murphy closed the Public Hearing at 7:51p.m.

A motion was made by Councilmember Monaco, seconded by Mayor pro tem Nichols, to adopt Resolution No. 11294. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

Resolution No. 11294. A Resolution of the City Council of the City of Orange approving the issuance by the California Municipal Finance Authority of multifamily housing revenue bonds for the affordable housing project located at 637 West Struck Avenue.

(The Consent Calendar was re-ordered to be heard after Item 10.2)

**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.**

ACTION: Approved.

**3.2. Confirmation of warrant registers dated September 2, 10, 16, 24, and 30, 2021.**

ACTION: Approved.

**3.3. Approval of meeting minutes of the City Council of the City of Orange for the September 14, 2021, Regular Meeting.**

ACTION: Approved minutes as presented.

**3.4. Agreement with VCI Event Technology for audio, lighting, electrical, and staging services at the Tree Lighting Ceremony and Candlelight Choir Procession and the Third of July Celebration, and appropriation of \$41,000 in unreserved General Fund to support Fiscal Year 2021-2022 City special event expenses.**

ACTION: 1) Approved agreement with VCI Event Technology in the amount not to exceed \$452,589.67 for audio, lighting, electrical, and staging services; and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the appropriation of \$41,000 in General Fund unreserved fund balance into expenditure account number 100.7015.51780.00000, Other Contractual Services.

**3.5. Third Amendment to the Water Supply and Service Agreement with Irvine Ranch Water District.**

Item 3.5 was removed from the Consent Calendar for separate consideration by Councilmember Dumitru and Councilmember Gutierrez.

In response to Council's questions, staff replied that the agreement with Irvine Ranch Water District (IRWD) is part of the regional effort to remove and prevent Per-and polyfluoroalkyl substances (PFAS) contamination to the groundwater basin. Water Manager Diaz added that all Orange County Water District member agencies have agreed to pay for PFAS treatment even if they are not affected; therefore, approval of the agreement ultimately benefits the City by reducing PFAS levels and preventing further contamination inland and to other wells.

ACTION: A motion was made by Councilmember Monaco, seconded by Councilmember Gutierrez, to approve Third Amendment to the Water Supply and Service Agreement with Irvine Ranch Water District; and authorize the Mayor and City Clerk to execute on behalf of the City. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Tavoularis, Gutierrez, and Murphy

**Noes:** Dumitru

**Absent:** None

**3.6. First Amendment to Professional Services Agreement with CSG Consultants, Inc. for building inspection services.**

ACTION: Approved First Amendment with CSG Consultants, Inc. to increase the not-to-exceed amount by \$30,000 (total not-to-exceed \$60,000), for building inspection services; and authorized the Mayor and City Clerk to execute on behalf of the City.

**3.7. Second Amendment to Agreement with Axon Enterprise, Inc. for body worn cameras.**

ACTION: 1) Approved amendment with Axon Enterprise, Inc. for 34 body worn cameras and equipment in an amount not to exceed \$96,099.26; and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the appropriation of \$84,579.83 from the Computer Replacement (790) unreserved fund balance into expenditure account number 790.4011.56032.20337 Computer Replacement - Mobile Audio Video and Body Worn Cameras.

**3.8. First Amendment to Attorney Services Agreement with Everett Dorey LLP to provide legal services, including representation and defense of the City, relative to the termination of the License Agreement with Mary's Kitchen.**

ACTION: 1) Approved a First Amendment to Attorney Services Agreement with Everett Dorey LLP in the amount of \$100,000; and authorized the Mayor and City Clerk to execute on behalf of the City; and 2) Authorized the appropriation of \$100,000 from the General Fund unreserved fund balance to expenditure account number 100.0301.51600.00000, General Fund - Legal Services.

**3.9. Appropriation of \$31,000 in Community Development Block Grant funds from the Coronavirus Aid, Relief, and Economic Security Act for the Homeless Outreach Program.**

ACTION: Authorized the appropriation of \$31,000 into the following expenditure accounts: \$2,000, 310.4011.51030.30180 - Cellular Phones; \$2,000, 310.4011.53030.30180 - Uniforms; and \$27,000, 310.4011.55131.30180 - Equipment.

**3.10. Approval of plans and specifications for Prospect & Spring Right Turn Lane Modification Project; authorization to advertise Bid No. 21-22.12, SP-4131; and appropriate funds from various expenditure accounts.**

ACTION: 1) Approved plans and specifications and authorized advertising for bids for Prospect & Spring Right Turn Lane Modification Project; and 2) Authorized the appropriation of \$409,000 from Unreserved Fund (287) to 287.5011.56330.20458 Prospect & Spring Right Turn Lane Modification.

**3.11. Appropriation of \$953.86 in Fiscal Year 2018-2019 and 2019-2020 redistributed Edward Byrne Memorial Justice Assistance Grant Program funds from the County of Orange.**

ACTION: 1) Accepted into the City's revenue budget \$602.70 in Justice Assistance Grant funds from the County of Orange, into revenue account number 353.4011.45150.30129, Federal Grants - 2019 JAG; 2) Accepted into the City's revenue budget \$351.16 in Justice Assistance Grant funds from the County of Orange, into revenue account number 353.4011.45150.30173, Federal Grants - 2020 JAG; 3) Authorized the appropriation of \$602.70 into expenditure account number 353.4011.55131.30129, Equipment - 2019 JAG; and 4) Authorized the appropriation of \$351.16 into expenditure account number 353.4011.55131.30173, Equipment - 2020 JAG.

**3.12. Appropriation of \$231,864.43 in State of California Office of Emergency Services funding received.**

ACTION: 1) Accepted into the City's revenue budget \$231,864.43 in strike team reimbursement funds from the California Office of Emergency Services (Cal-OES), into revenue account number 100.3024.48212.40242 - General Fund - Apple Fire; 2) Authorized the appropriation of \$231,288.08 into expenditure account number 100.3024.50221.40242 - General Fund - Apple Fire for Overtime-Safety; and 3) Authorized the appropriation of \$576.35 into expenditure account number 100.3024.53860.40242 - General Fund - Apple Fire for Strike Team Expenditures.

**3.13. Appropriation of \$33,874 in designated grant funding received from California Library Literacy Services.**

ACTION: 1) Accepted into the City's revenue budget a \$33,874 grant from California Library Literacy Services, into revenue account number 100.2001.45290.30170, General Fund - California Library Literacy Services Grant; and 2) Authorized the appropriation of \$33,874 to California Library Literacy Services Grant into the following expenditure account numbers: \$12,000, 100.2001.50312.30170 - Part-time Misc. Salaries; and \$21,874, 100.2001.53001.30170 - Materials and Supplies.

**3.14. Final Acceptance of Bid No. 20-21.43; SP-4161 Orange Police Department Evidence Freezer; and authorization to file Notice of Completion.**

ACTION: Accepted Orange Police Department Evidence Freezer as complete and authorized staff to file Notice of Completion with the County Recorder.

**3.15. Approval of plans and specifications for Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022; and authorization to advertise Bid No. 21-22.09.**

ACTION: 1) Approved plans and specifications and authorize advertising for bids for the Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022; and 2) Approved the use of sole-source supplier, Tolar Manufacturing Company, of bus stop shelters and correlating street furniture for the Bus Stop Enhancement at Various Locations, Fiscal Year 2021-2022.

**3.16. Approval of plans and specifications for Community Development Block Grant Fiscal Year 2021-2022 Beverly Neighborhood Street Rehabilitation Project and authorization to advertise Bid No. 21-22.11.**

Item 3.16 was removed from the Consent Calendar for separate consideration by Councilmember Gutierrez.

In response to Council's question regarding the selection of streets for a rehabilitation project, staff explained that CDBG funds are required to be used for low to moderate income individuals. For street rehabilitation projects, the U.S. Department of Housing and Urban Development provides census tracts of areas that meet their low to moderate criteria.

ACTION: A motion was made by Mayor pro tem Nichols, seconded by Councilmember Monaco, to approve plans and specifications and authorize advertising for bids for the Community Development Block Grant Fiscal Year 2021-22 Beverly Neighborhood



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Street Rehabilitation Project; SP-4179. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

**3.17. Approval of plans and specifications for SP-4130; Police Headquarters Atrium Rehabilitation and authorization to advertise Bid No. 21-22.13.**

ACTION: Approved the plans and specifications and authorized advertising for bids for SP-4130; Police Headquarters Atrium Rehabilitation.

**3.18. Final Acceptance of Bid No. 20-21.48; SP-4158, Annual Slurry Seal at Various Locations, FY 20-21; and authorization to file Notice of Completion.**

ACTION: Accepted Bid No. 20-21.48; SP-4158, Annual Slurry Seal at Various locations FY 20-21 as complete and authorized staff to file Notice of Completion with the County Recorder.

**3.19. Claims for Damages.**

ACTION: Denied the following claims and referred to City Attorney and Claims Adjuster:

1. David Daleo
2. Rhonda Vera Cruz
3. Emilio Casas Cortez
4. Alejandro Razo
5. Salvador Miramontes-Robles
6. Antonio Tereza-Salgado
7. Antonio Tereza-Vazquez
8. Steven Lewis

**3.20. Second Amendment to Contract with General Pump Company, Inc. for well maintenance and repair services.**

ACTION: Approved Second Amendment with General Pump Company, Inc. and authorized the Mayor and City Clerk to execute on behalf of the City.

**3.21. Authorize purchase of one vehicle for the Orange Fire Department and two vehicles for the Orange Police Department using a Cooperative Purchasing Agreement.**

ACTION: 1) Authorized the purchase of one Pierce Enforcer Fire Apparatus in the amount of \$921,292; 2) Authorized the purchase of safety equipment and supplies needed to equip the Fire Apparatus from various lowest qualified vendors in the amount of \$220,000; 3) Authorized the replaced Fire Seagrave Pumper, 2003 Seagrave to be donated to Queretaro, Mexico; and 4) Authorized the purchase of two 2022 mid-sized utility vehicles from National Auto Fleet Group in the amount of \$80,051.

**3.22. Authorize purchase of two vehicles for the Orange Fire Department using a Cooperative Purchasing Agreement.**

ACTION: Authorized the purchase of two 2022 mid-sized utility vehicles from National Auto Fleet Group in the amount of \$154,887.

**3.23. Authorize purchase of five 800 Megahertz portable radios and associated equipment from Motorola Solutions.**

ACTION: Approved the purchase of five 800 Megahertz radios in an amount not to exceed \$43,000, from Motorola Solutions, through Orange County Price Book Agreement #MA-060-21010004.

**Approval of the Consent Calendar**

Items 3.5 and 3.16 were removed from the Consent Calendar and heard separately. All other items were approved as recommended.

A motion was made by Councilmember Monaco, seconded by Mayor pro tem Nichols, to approve the Consent Calendar. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

**END OF CONSENT CALENDAR**

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**4. REPORTS FROM MAYOR MURPHY**

None.

**5. REPORTS FROM COUNCILMEMBERS**

**5.1. Highlight Local Business (Gutierrez, Barrios)**

Councilmember Gutierrez highlighted the following local business: Holiday Skate Center. Councilmember Barrios highlighted the following local business: The Potting Shed.

**6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS**

**6.1. Accept resignation of Steve Freeman from the Orange Public Library Board of Trustees.**

A motion was made by Councilmember Monaco, seconded by Councilmember Gutierrez, to accept the resignation of Trustee Member Steve Freeman effective October 19, 2021, and direct the City Clerk to post a Notice of Vacancy pursuant to the Maddy Act. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

## **7. ADMINISTRATIVE REPORTS**

### **7.1. Financial status update for Fiscal Years 2020-21 and 2021-22.**

Assistant City Manager/Administrative Services Director Will Kolbow provided a financial status update for FY 2020-21 and 2021-22. He reviewed FY 21 General Fund final revenues, sales tax, and expenditures; and provided a FY 22 General Fund update.

A motion was made by Councilmember Monaco, seconded by Mayor Murphy, to approve the following for FY 2021-22 and FY 2020-21:

Fiscal Year 2021-22

- 1) Authorize the appropriation of \$138,000 from the General Fund (100) unreserved fund balance to expenditure account number 100.4021.50001.00000.
- 2) Authorize the appropriation of \$29,163 from the General Fund (100) unreserved fund balance to expenditure account number 100.0401.50002.00000.
- 3) Authorize the appropriation of \$573,935 from the SB-2 Building Homes & Jobs Act (312) unreserved fund balance to expenditure account number 312.020152611.30138, Payments to Other Agencies - North SPA Navigation Centers.

Fiscal Year 2020-21

- 4) Authorize the appropriation of \$551,773 from the SB-2 Building Homes & Jobs Act (312) unreserved fund balance to expenditure account number 312.020152611.30138, Payments to Other Agencies - North SPA Navigation Centers.
- 5) Authorize the appropriation of \$95,965 from the Prop 172 (120) unreserved fund balance to expenditure account number 120.411.53670.12222, Other Maintenance Items - 800 MHZ.
- 6) Authorize the transfer of \$805,003.02 from the City Infrastructure Bond (553) account number 553.0000.57120.20400 to Merged 2008 Tax Exempt Bonds (954) account number 954.0000.49010.20400.. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

### **7.2. Orange Plaza Paseo long-term plan and streetscape program.**

Historic Planner Marissa Moshier summarized the background of the Paseo, and reviewed the options for a long-term plan and streetscape program.

Council discussed approving both options to allow businesses to open in January with the parklets design in place while studies are being conducted. Council also discussed safety concerns associated with the parklets design.

#### Public Speaker

Al Ricci spoke in support of keeping the Paseo open and in support of the parklets design.

After further discussion, a motion was made by Mayor pro tem Nichols, seconded by Councilmember Monaco, to authorize staff to proceed with both recommended actions.

In response to Council's questions, staff verified that Council can choose to extend the

temporary Paseo beyond the current end date of December 31. A discussion regarding the temporary Paseo is scheduled for the December agenda. Councilmember Monaco withdrew his second to the motion.

Mayor Murphy seconded Mayor pro tem's motion to authorize staff to proceed with both options.

Councilmember Barrios made a substitute motion to approve option 2 only.

A motion was made by Councilmember Barrios, seconded by Councilmember Gutierrez, to approve option 2 as follows:

Option 2 - Design of "Parklets"

- 1) Approve agreement with The Arroyo Group in the amount not-to-exceed \$68,120 for preparation of the Orange Plaza Paseo Streetscape Design Study; and authorize the City Manager and City Clerk to execute on behalf of the City; and
- 2) Authorize the transfer of \$68,120 from expenditure account 952.9810.56020.20247, City Trf: NW & SW Merged 2003 Taxable Bonds - SAORA Capital Projects, to expenditure account number 952.9810.51670.20492, City Trf: NW & SW Merged 2003 Taxable Bonds - Orange Plaza Paseo.

The motion failed by the following vote:

**Ayes:** Barrios, and Gutierrez

**Noes:** Nichols, Monaco, Dumitru, Tavoularis, and Murphy

**Absent:** None

A motion was made by Mayor pro tem Nichols, seconded by Mayor Murphy, to approve options 1 and 2 for the Orange Plaza Paseo long-term plan and streetscape program as follows:

Option 1 - Annual Seasonal Paseo

- 1) Approve agreement with The Arroyo Group in the amount of \$68,120 for preparation of the Orange Plaza Paseo Streetscape Design Study; and authorize the City Manager and City Clerk to execute on behalf of the City; and
- 2) Approve agreement with Dudek in the amount of \$146,886 for environmental services for the Orange Plaza Paseo; and authorize the City Manager and City Clerk to execute on behalf of the City; and
- 3) Authorize the transfer of \$215,006 from expenditure account 952.9810.56020.20247, City Trf: NW & SW Merged 2003 Taxable Bonds - SAORA Capital Projects, to expenditure account number 952.9810.51670.20492, City Trf: NW & SW Merged 2003 Taxable Bonds - Orange Plaza Paseo.

Option 2 - Design of "Parklets"

- 1) Approve agreement with The Arroyo Group in the amount not-to-exceed \$68,120 for preparation of the Orange Plaza Paseo Streetscape Design Study; and authorize the City Manager and City Clerk to execute on behalf of the City; and
- 2) Authorize the transfer of \$68,120 from expenditure account 952.9810.56020.20247, City Trf: NW & SW Merged 2003 Taxable Bonds - SAORA Capital Projects, to expenditure account number 952.9810.51670.20492, City Trf: NW & SW Merged 2003 Taxable Bonds - Orange Plaza Paseo.

The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Dumitru, Tavoularis, and Murphy

**Noes:** Barrios, and Gutierrez

**Absent:** None

**7.3. Employment Agreement with interim City Manager Thomas R. Hatch.**

A motion was made by Mayor pro tem Nichols, seconded by Councilmember Gutierrez, to approve Employment Agreement with interim City Manager Thomas R. Hatch. The motion carried by the following vote:

**Ayes:** Nichols, Monaco, Barrios, Dumitru, Tavoularis, Gutierrez, and Murphy

**Noes:** None

**Absent:** None

**8. REPORTS FROM CITY MANAGER****8.1. Status of Senate Bill 9 and Senate Bill 10.**

Acting City Manager Bonnie Hagan reported that both bills were signed by the Governor in September. Mayor Murphy added that there is an initiative being circulated, supported by several California Mayors, opposing both bills. Staff will provide Council with a report before the bills go into effect.

**9. LEGAL AFFAIRS**

None

**10. PUBLIC HEARINGS**

Items 10.1 and 10.2 were re-ordered to be heard after Item 10.3.

**10.1. Public Hearing to consider adopting the City of Orange 2020 Urban Water Management Plan (UWMP). Resolution No. 11357 and Ordinance No. 16-21.**

**10.2. Public Hearing to consider conduit tax-exempt bond financing for the Corp Yard Affordable Housing Project, Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing.**

Item 10.3 was re-ordered to be heard after Item 2 (Public Comments).

**10.3. Public Hearing to receive input from the community regarding the redrawing of Election District boundaries.**

**11. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:00 p.m. in Memory of Rick Collins.

The next Regular City Council meeting will be held on Tuesday, November 9, 2021, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m. if necessary.

s/Pamela Coleman  
PAMELA COLEMAN  
CITY CLERK

s/Mark A. Murphy  
MARK A. MURPHY  
MAYOR