



CITY COUNCIL AGENDA

Regular Meeting

February 9, 2016

6:00 p.m. Regular Session

Council Chamber

300 E. Chapman Avenue, Orange, CA 92866

TERESA E. SMITH
Mayor

MARK A. MURPHY
Mayor pro tem

FRED M. WHITAKER
Councilmember

MICHAEL ALVAREZ
Councilmember

KIMBERLEE NICHOLS
Councilmember

Wayne W. Winthers
City Attorney

Rick Otto
City Manager

Mary E. Murphy
City Clerk

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Please contact the City Clerk's Office either in person at 300 E. Chapman Ave., Orange, CA. or by calling (714) 744-5500 no later than 10:00 AM on the City business day preceding the scheduled meeting.

GENERAL PROTOCOL

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

This agenda contains a brief general description of each item to be considered. The Agenda and supporting documentation is available at 3:00 p.m. on the Thursday prior to the Council meeting at the City Clerk's Office located at City Hall, 300 E. Chapman Avenue, Orange, during regular business hours, 7:30 a.m. - 5:30 p.m. Monday through Thursday, and alternating Fridays, as well as on the City's Website www.cityoforange.org. Any documents received after the agenda packet distribution, are available at the Council meeting, City Clerk Office counter, and are posted on the City's Website. Information may be obtained by calling the City Clerk's Office at (714) 744-5500.

Public Testimony

Pursuant to Government Code Section 54954.3, the public may comment on any agenda item before or during consideration by the City Council, and on any other matters under the Council's jurisdiction. Applicants making presentations to the Council on agenda items are given sufficient time to address the Council and are also provided an opportunity to address questions from the public. The public is then allowed up to three (3) minutes to speak on that specific agenda item. General public comments are agendized under Public Comments section at the **beginning** of the 6:00 p.m. Session.

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, by the presiding officer, be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council. In accordance with Ordinance No. 43-60 no person except City officials and their representatives shall be permitted within the rail in front of the Council Chambers without the express consent of the Council. Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the City Council Chambers. Your cooperation is appreciated.

TO SPEAK ON ANY ITEM ON THE AGENDA, complete a speaker's card located at the entrance to the Council Chambers. Enter the item's Agenda number on your speaker card and give it to the City Clerk. **WHEN SPEAKING**, please face the City Council and state your name and address for the record. *The Mayor will call on you to speak when that Agenda item is considered.*

Televised Meeting Schedule

Regular City Council meetings are televised live on Time Warner 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.

Persons filming or taping Council meetings are asked to identify themselves by filling out the reverse side of the speaker's card or presenting a business card to the City Clerk.

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6:00 P.M. SESSION

1. OPENING

1.1 INVOCATION

Pastor Bill Johnson, First United Methodist Church of Orange

1.2 PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor pro tem Mark Murphy

1.3 ROLL CALL

PRESENT -

ABSENT -

1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Retirement recognition of William Vanderwerff, East Orange County Water District, Board of Directors.

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. Comments are limited to **three minutes per person.**

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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.

3A CITY CONSENT CALENDAR

3.1 Confirmation of warrant registers dated January 7, 14, 21, and 28, 2016.

RECOMMENDED ACTION: Approve.

3.2 [City Council Minutes, Regular Meeting of January 12, 2016.](#)

RECOMMENDED ACTION: Approve.

3.3 Waive reading in full of all ordinances on the Agenda.

RECOMMENDED ACTION: Approve.

3.4 [Treasurer's Report for the Months of October, November, and December 2015.](#)

RECOMMENDED ACTION: Receive and file.

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3. CONSENT CALENDAR (Continued)

APPROPRIATIONS

3.5 Appropriation of Funds Received from the State of California.

RECOMMENDED ACTION:

Accept into the City's revenue budget a total reimbursement of \$185,949.81 in payments from the State of California into account number 100.3021.48212 - Reimbursement from O.E.S, within the following project numbers:

Description of Incident Reimbursement	Project Account	Revenue Amount
Lake Fire in San Bernardino County	40102	\$65,025.08
Pine Fire	40103	7,287.71
Willow Fire	40104	20,684.57
Highway Fire	00000	12,383.58
Beaver Fire	00000	27,888.77
Mad River Complex	40105	46,097.13
Lake Fire	40102	6,579.97

Authorize the appropriation into expenditure account number 100.3021.53860 – Strike Team Expenditures, within the project numbers and amounts as follows:

Description of Expenditure	Project Account	Expenditure Amount
Lake Fire in San Bernardino County	40102	\$65,025.08
Pine Fire	40103	7,287.71
Willow Fire	40104	20,684.57
Highway Fire	00000	12,383.58
Beaver Fire	00000	27,888.77
Mad River Complex	40105	46,097.13
Lake Fire	40102	6,579.97

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3. CONSENT CALENDAR (Continued)

3.6 Appropriation of \$44,817.72 in revenue from a Variety of Sources: Park and Facilities Maintenance and Renovation at El Modena, Olive and Grijalva Parks; Orange Community Gardens; Special Event Donations; and from the Metropolitan Water District SoCal Water Smart Rebate program.

RECOMMENDED ACTION: 1) Authorize the appropriation of \$9,742.72 from Revenue Account 100.7001.42480.00000 (User Group Maintenance Fees) to Expenditure Account 100.7022.51700.00000 (Contractual Services); 2) Authorize the appropriation of \$3,025.00 from Revenue Account 100.7001.44210.20227 (Garden Plots) to Expenditure Account 100.7001.51700.20227 (Garden Plots); 3) Authorize the appropriation of \$600.00 from General Fund unreserved fund balance to Expenditure Account 100.7001.51700.20227 (Garden Plots); 4) Authorize the appropriation of \$10,000.00 from Revenue Account 100.7001.48390.00000 (General Donations) to Expenditure Account 100.7015.51780.00000 (Other Contractual Services); and 5) Authorize the appropriation of \$21,450.00 from Revenue Account 550.7021.48380.30047 (Miscellaneous Revenue – Calsense Installation) to Expenditure Account 550.7021.56031.30047 (Calsense Installation).

BIDS

3.7 Bid No. 156-28; Community Development Block Grant (CDBG) Americans with Disabilities Act (ADA) Wheelchair Access Ramps at Various Locations Project (FY16) – Approval of plans and specifications, authorization to advertise bids for construction.

RECOMMENDED ACTION: Approve plans and specifications and authorize advertising for bids for the (FY16) CDBG ADA Wheelchair Access Ramps at Various Locations.

3.8 Bid No. 156-30; Annual Pavement Maintenance at Various Locations, Fiscal Year 2015-2016. Approval of Plans and Specifications and Authorization to Advertise for Bids.

RECOMMENDED ACTION: Approve plans and specifications and authorize advertising for bids for the Annual Pavement Maintenance Project at Various Locations, (FY16).

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3. CONSENT CALENDAR (Continued)

3.9 CLAIMS

The following claim(s) have been received and investigated by the City Attorney's Office and/or the Risk Manager. After a thorough investigation with the involved departments, it is the recommendation of the City Attorney's Office that the claim(s) be denied.

- a. Kevin Bofferding and Belinda Bofferding
- b. Richard Brandt
- c. Mark Bryan
- d. Elizabeth Corbett
- e. Monica S. Tapia
- f. Robert and Cheryl Dickey
- g. Florence Ann Geisweidt
- h. Benjamin Brukart
- i. Kody Farrel
- j. Sandra Helmich

RECOMMENDED ACTION: Deny Claim(s) for damages and refer to City Attorney and Adjuster.

CONTRACTS

3.10 [Award of Contract – Bid No. 156-16; Lincoln Avenue Improvements Project \(SP-3835\).](#)

RECOMMENDED ACTION: Award the contract in the amount of \$155,329 to Hillcrest Contracting, Inc. of Corona, CA and authorize the Mayor and City Clerk to execute on behalf of the City.

3.11 [Award of Contract – Bid No. 156-27; OCIAC Security Cameras and Access Control Installation Project.](#)

RECOMMENDED ACTION: Award the contract in the amount of \$57,300.00 to Convergent Technologies, LLC and authorize the Mayor and City Clerk to execute the necessary documents on behalf of the City.

3.12 **Final Acceptance of Bid No. 145-22; Grijalva Park Exercise Circuit/Landscape Improvement performed by KASA Construction, Inc. and authorization to file the Notice of Completion with the County Recorder. (No staff report required.)**

RECOMMENDED ACTION: Accept the completion of improvements and authorize the Mayor and City Clerk to execute the Notice of Completion.

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3. CONSENT CALENDAR (Continued)

RESOLUTIONS

3.13 [RESOLUTION NO. 10918](#)

(See related Consent Calendar Item No. 03.19)

A Resolution of the City Council of the City of Orange Authorizing the Acceptance of the Conveyance of Governmental Use Properties Conveyed by the Successor Agency of the Orange Redevelopment Agency pursuant to the Long Range Property Management Plan (the “LRPMP”) and taking certain related actions.

RECOMMENDED ACTION: 1) Approve Resolution No. 10918, and 2) Authorize the Mayor (or in the Mayor’s absence, the Mayor Pro Tem) to execute the certificate of acceptance pertaining to the related quitclaim deed(s).

3.14 [RESOLUTION NO. 10920](#)

A Resolution of the City Council of the City of Orange Temporarily Closing Sections of Public Streets for Approved Special Events.

RECOMMENDED ACTION: 1) Adopt Resolution No. 10920 approving the closure of public streets during the times of approved special events, and 2) Approve closure of municipal parking lots and temporary suspension of neighborhood permit parking restrictions for certain events and dates occurring in FY 2016-17.

3.15 [RESOLUTION NO. 10921](#)

A Resolution of the City Council of the City of Orange Summarily Vacating the Public Service Easement (Slope Easement) along Easterly boundary of the property at 715 North Mallard Street which is no longer needed by the City.

RECOMMENDED ACTION: Approve.

3.16 [RESOLUTION NO. 10922](#)

A Resolution of the City Council of the City of Orange approving the revised effective date to an Amendment to the 2009 Waste Disposal Agreement with the County of Orange.

RECOMMENDED ACTION: Approve.

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3. CONSENT CALENDAR (Continued)

3.17 RESOLUTION NO. 10923

A Resolution of the City Council of the City of Orange Establishing a Letter of Understanding between the City of Orange and the Orange Management Association Effective July 1, 2015, to June 30, 2017.

RECOMMENDED ACTION: Approve Resolution No. 10923; and authorize staff to make the necessary budget adjustments and/or appropriations to the departments' salary and benefit accounts to fund the increased costs of the contract.

3.18 RESOLUTION NO. 10924

A Resolution of the City Council of the City of Orange Establishing a Letter of Understanding between the City of Orange and the Orange Municipal Employees' Association Effective July 1, 2015, to June 30, 2017.

RECOMMENDED ACTION: Approve Resolution No. 10924; and authorize staff to make the necessary budget adjustments and/or appropriations to the departments' salary and benefit accounts to fund the increased costs of the contract.

3B SUCCESSOR AGENCY TO THE ORANGE REDEVELOPMENT AGENCY

3.19 RESOLUTION NO. SAORA-021

(See related Consent Calendar Item No. 3.13)

Resolution No. SAORA-021 – A Resolution of the Governing Board of the Successor Agency to the Orange Redevelopment Agency authorizing the conveyance of certain governmental use properties to the City of Orange pursuant to the Long Range Property Management Plan (“LRPMP”) and taking certain related actions.

RECOMMENDED ACTION: Approve Resolution No. SAORA-021; and authorize the Chairperson, the Vice Chair and the Executive Director to execute one or more quitclaim deeds to complete the conveyance.

MOTION -
SECOND -
AYES -

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR SMITH

5. REPORTS FROM COUNCILMEMBERS

6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS

7. ADMINISTRATIVE REPORTS

7.1 [Status of Fiscal Year 2015-2016 Budget and Necessary Mid-Year Adjustments and Preliminary Projections for Fiscal Year 2016-2017 Budget Preparation.](#)

RECOMMENDED ACTION:

- 1) Authorize the transfer of \$1,500,000 from the unreserved fund balance of the General Fund to the Capital Projects Fund (500).
- 2) Authorize the transfer of \$1,000,000 from the unreserved fund balance of the General Fund to the Accrued Liability Fund (760 for PERS).
- 3) Authorize the transfer of \$1,500,000 from the unreserved fund balance of the General Fund to the Business Investment Fund (115).
- 4) Unfreeze a Lieutenant position in the Police Department and authorize the appropriation of \$128,000 from the unreserved fund balance of the General Fund to expenditure account 100.4021.50001.00000, Police Safety-Regular Salaries to cover the remaining six months of FY 16. Full funding of approximately \$260,000 will be included in the FY 17 budget.
- 5) Authorize the transfer of \$110,000 from expenditure account 263.7041.51780.20212 – Sr. Transportation Grant 14-15 to expenditure account 263.7041.51780.20235 – Sr. Transportation Grant 15-16.
- 6) Authorize the appropriation of \$970,000 from the Accrued Liability Fund (760 for PERS) unreserved fund balance to expenditure account 760.0000.50510.00000 – PERS Retirement.

MOTION -
SECOND -
AYES -

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7. ADMINISTRATIVE REPORTS

7.2 **Strategies for Addressing Student Housing and Neighborhood Engagement Concerns.**

RECOMMENDED ACTION: Receive and file report and provide staff with direction regarding desired actions.

MOTION -
SECOND -
AYES -

8. REPORTS FROM CITY MANAGER

9. LEGAL AFFAIRS

9.1 ORDINANCE NO. 01-16 (SECOND READING)

An Ordinance of the City Council of the City of Orange approving Zone Change 1275-14, a Zone Change from Public Institution (Specific Plan) to Old Towne Mixed Use – 15 (Specific Plan).

City of Orange
Metrolink Parking Structure Project
130 N. Lemon Street

MOTION -
SECOND -
AYES -

9.2 ORDINANCE NO. 02-16 (SECOND READING)

An Ordinance of the City Council of the City of Orange approving Zone Change No. 1278-15 for the establishment of Single Family Residential, 7000 s.f. (R-1-7), Residential Multiple Family (R-3), and Limited Business (C-1) Zoning consistent with the exiting Low Density Residential 2-6 DU/AC (LDR), Low Medium Residential 6-15 DU/AC (LMDR), and General Commercial Max. 1.0 Far (GC) General Plan Land Use Designations, for currently unzoned property located south of Chapman Avenue between S. Craig Drive and S. Malena Drive.

Zone Change No. 1278-15
Applicant: Ed Loftus II

MOTION -
SECOND -
AYES -

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10. ITEMS RELATING TO THE SUCCESSOR AGENCY OF THE ORANGE REDEVELOPMENT AGENCY

11. PUBLIC HEARINGS

12. ADJOURNMENT

The next Regular City Council Meeting will be held on Tuesday, March 8, 2016, at 6:00 p.m. in the Council Chambers, with Closed Session beginning at 5:00 p.m., if necessary.

Declaration of Chief Clerk, Robert Zornado, declaring posting of City Council agenda of a Regular Meeting of February 9, 2016, at Orange Civic Center kiosk, Police facility at 1107 North Batavia, and the Main Public Library at 407 E. Chapman; all of said locations being in the City of Orange and freely accessible to members of the public at least 72 hours before commencement of said Regular Meeting; and available at the Civic Center City Clerk's Office.