

# CITY COUNCIL AGENDA

March 22, 2011

## 4:30 P.M. SESSION

### 1. OPENING

#### 1.1 INVOCATION

Pastor Larry DiSimone, Calvary Chapel of the Canyons

#### 1.2 PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor pro tem Teresa Smith

#### 1.3 ROLL CALL

PRESENT -

ABSENT -

#### 1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Recognition of Employee Service.

### 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.

### 3.1 Confirmation of warrant registers dated March 3 and March 10, 2011.

RECOMMENDED ACTION: Approve.

### 3.2 City Council Minutes, [Regular Meeting of March 8, 2011](#), and [Study Session of March 8, 2011](#).

RECOMMENDED ACTION: Approve.

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

RECOMMENDED ACTION: Approve.

### 3.4 City [Treasurer's Report](#), period ending February 28, 2011.

RECOMMENDED ACTION: Receive and file.

## AGREEMENTS

### 3.5 Sixth Amendment to [Agreement No. 4904 with Rengel + Co. Architects](#) for Architectural Support at Grijalva Park Gymnasium Sports Center.

RECOMMENDED ACTION: Approve the Sixth Amendment to Agreement No. 4904; and Authorize the Mayor and City Clerk to execute on behalf of the City.

# CITY COUNCIL AGENDA

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## 3. CONSENT CALENDAR (Continued)

### 3.6 Agreement between [Metropolitan Water District of Orange County](#) (MWDOC) and its Member Agencies on Budget, Activities, Charges, and Other Issues.

RECOMMENDED ACTION: Participate in the Poseidon Huntington Beach Ocean Desalination Program administered by MWDOC; and approve Agreement with MWDOC and authorize the Mayor and City Clerk to execute on behalf of the City.

### 3.7 Agreement between the [City of Orange Police Department](#) and the Internal Revenue Service, Criminal Investigation for task force overtime not to exceed \$60,000.

RECOMMENDED ACTION: Authorize the City Manager or his designee to execute the agreement between the City of Orange Police Department and the Internal Revenue Service, Criminal Investigation, and appropriate \$60,000 to Account 100.4033.50221.20092 (Narcotics-Safety Overtime-IRS Task Force) for overtime reimbursement.

### 3.8 Second Amendment to [Professional Services Agreement](#) with Black & Veatch Corporation for Water Rate Study.

RECOMMENDED ACTION: Approve the Second Amendment in an amount not-to-exceed \$54,590.00 with Black & Veatch Corporation and authorize the Mayor and City Clerk to execute on behalf of the City.

### 3.9 First Amendment to [Professional Services Agreement](#) with KOA Corporation for engineering services to the Santiago Creek Bike Trail Project.

RECOMMENDED ACTION: Approve the First Amendment to the Professional Services Agreement in an amount not to exceed \$7,200.00 to KOA Corporation, of Orange, CA, and authorize the Mayor and City Clerk to execute on behalf of the City.

## PURCHASES

### 3.10 [Purchase of Medical Supplies](#) from Life-Assist, Inc. through a Cooperative Purchasing Agreement.

RECOMMENDED ACTION: Authorize the Fire Department to enter into a Cooperative Purchasing Agreement with the City of Downey, in the amount of \$55,000, for medical supplies.

# CITY COUNCIL AGENDA

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## 3. CONSENT CALENDAR (Continued)

### APPROPRIATIONS

#### 3.11 Appropriation of funds received from [Santa Ana College](#) for Fire Department training.

RECOMMENDED ACTION: Appropriate \$32,046.75 from 100.3023.48210.20080 to 100.3023.53060.20080.

#### 3.12 Accept into the City's Revenue Budget and [Appropriate a \\$30,235 Donation](#) from the Friends of the Library for a Variety of Items.

RECOMMENDED ACTION: 1) Accept into the City's revenue budget \$30,235 into 100.2001.48390.19990 (Friends Donation); and 2) Appropriate the donation as follows: \$10,500 to 100.2001.53301.19990 [Friends of the Library-Donations (library books)]; \$980 to Account 100.2004.51670.19990 [Friends of the Library-Donations (Other Professional)]; \$300 to Account 100.2016.51670.19990 [Friends of the Library-Donations (Other Professional)]; \$400 to Account 100.2016.53340.19990 [Friends of the Library – Donations (Craft Supplies)]; \$1,655 to Account 100.2017.53910.19990 [Friends of the Library-Donations (Minor Office)]; \$10,400 to Account 100.2017.55131.19990 [Friends of the Library-Donations (Furniture, Machinery, Equipment)]; and \$6,000 to Account 100.2017.53340.19990 [Friends of the Library-Donations (craft supplies)].

#### 3.13 Accept into the City's Revenue Budget and to [Appropriate a \\$7,500 Donation](#) from the Orange Public Library Foundation (OPLF).

RECOMMENDED ACTION: 1) Accept into the City's revenue budget a \$7,500 donation into 100.2001.48390.19322 (Library Foundation); and 2) Appropriate \$4,000 to 100.2001.53301.19322 [Library Foundation (book budget)]; \$2,500 to 100.2016.55131.19322 [Library Foundation (furniture)]; and \$1,000 to 100.2001.53340.19322 [Library Foundation (craft supplies)].

### BIDS

#### 3.14 [Bid No. 101-33](#); Approval of Plans and Specifications, and request Authorization to Advertise for Bids for Construction of Tustin Street and Chapman Avenue Sewer Line Replacement Project.

RECOMMENDED ACTION: Approve plans and specifications and authorize advertising for bids for Tustin Street and Chapman Avenue Sewer Line Replacement Project.

# CITY COUNCIL AGENDA

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## 3. CONSENT CALENDAR (Continued)

### 3.15 CLAIMS

SUMMARY: 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. Southern California Edison – 08-27-10
- b. Marta Figueroa

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

### CONTRACTS

#### 3.16 Award of Contract for [Bid No. 101-20](#); Installation of Efficient Heating, Ventilation, and Air Conditioning (HVAC) System at the Corporation Yard and El Modena Library Branch Buildings. Project funded by Energy Efficiency and Conservation Block Grant (EECBG).

RECOMMENDED ACTION: Award the contract in the amount of \$204,410.00 to K & J Air Conditioning, Inc., and authorize the Mayor and City Clerk to execute on behalf of the City.

### REPORTS

#### 3.17 General Plan Annual Progress Report to the State of California.

Click on the links to access the supporting documentation.

<a href="#">Progress Report Part 1</a>	<a href="#">Progress Report Part 2</a>
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RECOMMENDED ACTION: Receive and file 2010 General Plan Annual Progress Report for submittal to the State by Planning Division staff.

#### 3.18 Update on [City's Efforts to Remove Graffiti](#) throughout the City. (From February 8, 2011.)

RECOMMENDED ACTION: Receive and file.

# CITY COUNCIL AGENDA

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## 3. CONSENT CALENDAR (Continued)

### RESOLUTIONS

#### 3.19 RESOLUTION NO. 10543

A Resolution of the City Council of the City of Orange approving the submittal of improvement projects for funding by the Orange County Transportation Authority under the competitive Measure M2 Regional Traffic Synchronization Program.

RECOMMENDED ACTION: Approve.

MOTION -

SECOND -

AYES -

END OF CONSENT CALENDAR

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## 4. REPORTS FROM MAYOR CAVECCHIE

## 5. REPORTS FROM COUNCILMEMBERS

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

### 6.1 Consideration of Appointment of Mr. Raymond Grangoff as Councilmember Dumitru's Representative to the Planning Commission, to fill the unexpired term of Matthew Cunningham, period ending June 30, 2013.

MOTION -

SECOND -

AYES -

### 6.2 Accept Letter of Resignation from Ms. Adrienne Gladson from the Design Review Committee, effective immediately.

MOTION -

SECOND -

AYES -

# CITY COUNCIL AGENDA

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## 6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS (Continued)

### 6.3 Accept Letter of Resignation from Mr. Larry Dick from the City Traffic Commission, effective March 22, 2011.

MOTION -  
SECOND -  
AYES -

## 7. ADMINISTRATIVE REPORTS

### 7.1 [Request for Budget Appropriation](#) for Salary Increases Required by Memorandum of Understanding between the City of Orange and Orange City Firefighters, Inc. Local 2384 of the International Association of Firefighters, AFL-CIO.

RECOMMENDED ACTION:

1. Appropriate \$204,140 from the unreserved balance of the General Fund to 100.30XX\*.50101 (Salaries – Safety) and \$10,702 from the unreserved balance of the General Fund to 100.30XX\*.50102 (Salaries – Misc); and
2. Appropriate \$14,213 from the unreserved balance of the EMT Transport Fund to 125.30XX\*.50101 (Salaries – Safety).

\* Requested appropriations will be divided amongst the applicable Fire Department activities.

MOTION -  
SECOND -  
AYES -

## 8. REPORTS FROM CITY MANAGER

### 8.1 Proposed FY 2011-12 Budget.

- Community Services Program Review
- Organizational Assessment
- [Proposed Seven-Year Capital Improvement Program](#)

MOTION -  
SECOND -  
AYES -

# CITY COUNCIL AGENDA

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## 9. LEGAL AFFAIRS

### 9.1 [ORDINANCE NO. 07-11](#) (SECOND READING)

An Ordinance of the City Council of the City of Orange approving the reclassification of property from Single Family Residential (R-1-8) to Residential Multiple Family (R-3) located at 1820 E. Meats Avenue.

MOTION -  
SECOND -  
AYES -

## 10. HEARINGS

### 10.1 PROPERTY ACQUISITION BY EMINENT DOMAIN – NORTH SIDE OF SANTIAGO CANYON ROAD BETWEEN SANTIAGO BOULEVARD AND CANNON STREET.

Time set for a hearing on Resolution of Necessity to acquire property located at the north side of Santiago Canyon Road between Santiago Blvd. and Cannon Street.

#### **Recommended Council Action:**

### [RESOLUTION NO. 10542](#)

A Resolution of the City Council of the City of Orange Declaring the Public Interest and Necessity of Acquiring Certain Real Property Interest Located on the North Side of Santiago Canyon Road Between Santiago Boulevard and Cannon Street and Authorizing the Acquisition Thereof.

MOTION -  
SECOND -  
AYES -



# CITY COUNCIL AGENDA

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## 10. HEARINGS (Continued)

### 10.2 CONDITIONAL USE PERMIT 2790-10, MAJOR SITE PLAN 0630-10, DESIGN REVIEW COMMITTEE 4483-10 AND, A WAIVER AND TWO CONCESSIONS IN ASSOCIATION WITH A DENSITY BONUS HOUSING AGREEMENT – [SANTA INES SENIOR VILLAS](#) LOCATED AT 184 NORTH PROSPECT AVENUE.

Time set for public hearing to consider demolition of two buildings previously used as a preschool in order to construct 44 apartments, where 43 of the units would be rented to seniors (62 and older) with extremely low, very low, or low-incomes. The 44<sup>th</sup> unit would be a manager's unit. The site is located at 184 North Prospect Avenue.

Staff Report/Council Questions

Open Public Hearing/Public Comments/Close Hearing

Council Comments/Council Action

#### **Recommended Council Action:**

#### **RESOLUTION NO. 10541**

A Resolution of the City Council of the City of Orange approving Conditional Use Permit 2790-10, Major Site Plan 0630-10, Design Review Committee 4483-10, and a Waiver and two Concessions in association with a Density Bonus Housing Agreement to allow for the construction of 43 senior affordable housing units and one manager's unit located at 184 North Prospect Avenue.

MOTION -

SECOND -

AYES -

## 11. RECESS TO THE MEETING OF THE ORANGE REDEVELOPMENT AGENCY

# CITY COUNCIL AGENDA

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## 12. RECESS TO CLOSED SESSION

The City Council will recess to a Closed Session for the following purpose:

a. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

City Negotiators: City Manager John Sibley  
Assistant City Manager Rick Otto  
Human Resources/Employee Relations Director Steven Pham  
Assistant Human Resources Director Mike Harary  
Jeffrey Freedman

Employee Organizations: All Bargaining Units

b. To consider and take possible action upon such other matters as are orally announced by the General Counsel, the Executive Director or the Board of Directors prior to such recess unless the motion to recess indicates any of the matters will not be considered in Closed Session.

## 13. ADJOURNMENT

The next Regular Council meeting will be held Tuesday, April 12, 2011 at 4:30 p.m.

**Declaration of City Clerk, Mary E. Murphy, declaring posting of City Council agenda of a regular meeting of March 22, 2011 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.**