

# CITY COUNCIL AGENDA

April 13, 2010

## 4:30 P.M. SESSION

### 1. OPENING

#### 1.1 INVOCATION

Pastor Frank Riley, River 47 Church

#### 1.2 PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Jon Dumitru

#### 1.3 ROLL CALL

PRESENT -

ABSENT -

#### 1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Recognition of Orange Leadership Academy Graduates

Presentation of Proclamation recognizing Arbor Day

Presentation from Southern California Edison

### 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 18, 25, and April 1, 2010.

RECOMMENDED ACTION: Approve.

### 3.2 City Council Minutes [Regular Meeting](#) of March 23, 2010; [Study Session](#) of March 23, 2010; and [Special Meeting](#) of March 31, 2010.

RECOMMENDED ACTION: Approve.

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

RECOMMENDED ACTION: Approve.

## AGREEMENTS

### 3.4 Amendment No. 1 to Agreement No. 3553.I with [Judicial Data Systems Corporation](#) to process parking citations issued by the Police Department.

RECOMMENDED ACTION: 1) Approve Amendment No. 1 to Agreement No. 3553.I and authorize the Mayor and City Clerk to execute on behalf of the City; and 2) approve appropriation transfer of \$12,000 from 100.4032.51670 (Gangs Other Professional and Consulting Services) to 100.4041.51670 (Traffic Other Professional and Consulting Services).

### 3.5 Agreement with [RBF Consulting](#) for professional engineering services for the design of the East Chapman Traffic Signal Coordination Project.

RECOMMENDED ACTION: Approve the agreement with RBF Consulting in an amount not to exceed \$61,995.00, and authorize the Mayor and the City Clerk to execute on behalf of the City.

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## 3. CONSENT CALENDAR (Continued)

### APPROPRIATIONS

#### 3.6 Hart Park [Emergency Electrical Repairs](#).

RECOMMENDED ACTION: Appropriate \$31,917 from the unreserved fund balance of the Park Acquisition and Development Fund (Fund 511) to Account 511.7021.51401 (Repairs to Equipment).

### BIDS

#### 3.7 Bid No. 090-36; [Annual Pavement Maintenance](#) Project at Various Locations, Fiscal Year 2009-10 Phase I. 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, Fiscal Year 2009-10, Phase I.

### CONTRACTS

#### 3.8 Award of Contract for Bid No. 078-55 to [Irv Seaver Motorcycles](#) of Orange, CA to purchase three BMW police pursuit motorcycles.

RECOMMENDED ACTION: 1) Authorize purchase of three BMW police pursuit motorcycles from Irv Seaver Motorcycles of Orange, CA for \$76,101.08; and 2) Authorize the City Manager to surplus the replaced vehicles.

#### 3.9 Award of Contract for Bid No. 090-26; [Americans with Disabilities Act](#) (ADA) Wheelchair Access Ramps at Various Locations FY 2009-10.

RECOMMENDED ACTION: Award the contract in the amount of \$66,075 to Kormx, Inc., and authorize the Mayor and City Clerk to execute the necessary documents on behalf of the City.

#### 3.10 Award of Contract for Bid No. 090-27; [Annual Concrete Replacement](#) at Various Locations, Fiscal Year 2009-10.

RECOMMENDED ACTION: Award a contract in the amount of \$291,300 to C J Concrete Construction, Inc. 10142 Shoemaker Avenue, Santa Fe Springs, CA 90670, and authorize the Mayor and the City Clerk to execute on behalf of the City.

# CITY COUNCIL AGENDA

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## 3. CONSENT CALENDAR (Continued)

### 3.11 Award of Contract for Bid No. 090-33; Construction of [Storm Drain Improvements](#) in Chapman Avenue at Crawford Canyon Road/Cannon Street Project.

RECOMMENDED ACTION: Award the contract in the amount of \$183,220 to KZC, Inc., and authorize the Mayor and City Clerk to execute on behalf of the City.

### 3.12 Final Acceptance of Bid No. 090-04; Cambridge Street Rehabilitation AHRP Project (from Walnut Avenue to Collins Avenue and from Katella Avenue to Meats Avenue). (No staff report required.)

RECOMMENDED ACTION: Accept public work improvements, authorize release of Travelers Casualty and Surety Company of America, Bond No. 105294001 in the amount of \$1,212,702.00; and authorize the Mayor and City Clerk to execute the Notice of Completion.

### 3.13 Final Acceptance of Bid No. 090-14: Street Rehabilitation Project, CDBG-R Fiscal Year 2008-09. (No staff report required.)

RECOMMENDED ACTION: Accept public work improvements, authorize release of Fidelity and Deposit Company of Maryland, Bond No. 08950537 in the amount of \$274,724.00; and authorize the Mayor and City Clerk to execute the Notice of Completion.

## PURCHASES

### 3.14 Purchase of five [Police Vehicles](#) through a cooperative purchasing agreement.

RECOMMENDED ACTION:

- 1) Authorize the purchase of four Dodge Charger police pursuit vehicles and one Dodge Charger gang unit vehicle from McPeck Dodge of Anaheim, CA for \$136,057.93 through a cooperative purchasing agreement with the City of Los Angeles, CA;
- 2) Authorize the outfitting of four police pursuit vehicles and one gang unit vehicle by Hi-Standard of Orange, CA, per Bid No. 089-03 in the amount of \$44,986.27; and
- 3) Authorize the City Manager to surplus the replaced vehicles.

## RESOLUTIONS

### 3.15 [RESOLUTION NO. 10441](#)

A Resolution of the City Council of the City of Orange expressing appreciation to Bill Hintz and commending him for thirty years of loyal and dedicated service.

RECOMMENDED ACTION: Approve.

# CITY COUNCIL AGENDA

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## 3. CONSENT CALENDAR (Continued)

### 3.16 RESOLUTION NO. 10443

A Resolution of the City Council of the City of Orange finding and determining that the public interest, convenience and necessity require the acquisition for public purposes of property located at 350-352 S. Main Street and authorizing the execution of escrow instructions therefore.

RECOMMENDED ACTION: Approve.

### 3.17 RESOLUTION NO. 10445

A Resolution of the City Council of the City of Orange finding and determining that the public interest, convenience and necessity require the acquisition for public purposes of property located at 185 S. Main Street and authorizing the execution of escrow instructions therefore.

RECOMMENDED ACTION: Approve.

### 3.18 RESOLUTION NO. 10449

A Resolution of the City Council of the City of Orange finding and determining that the public interest, convenience and necessity require the acquisition for public purposes of property located at 290 S. Main Street and authorizing the execution of escrow instructions therefore.

RECOMMENDED ACTION: Approve.

MOTION -  
SECOND -  
AYES -

END OF CONSENT CALENDAR

\* \* \* \* \*

## 4. REPORTS FROM MAYOR CAVECCHIE

## 5. REPORTS FROM COUNCILMEMBERS

### 5.1 Councilmember Jon Dumitru – Request to send letter of support for AB 2121 (Harkey) High Speed Rail.

MOTION -  
SECOND -  
AYES

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

### 7. ADMINISTRATIVE REPORTS

#### 7.1 **Renewal of agreement with [Maris Imaging Solutions, LLC](#) (Maris Imaging) for ongoing digital archiving of Building Division paper records along with completion of digital imaging conversion for the Building Division microfiche records.**

RECOMMENDED ACTION: Approve agreement with Maris Imaging Solutions, LLC; appropriate \$110,000 from the unreserved fund balance of the Building Records Management Fee to Account 110-6031-51670 (Other Professional and Consulting Services); and authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

MOTION -  
SECOND -  
AYES -

#### 7.2 **Financial impact of City's [Mills Act Program](#) 1999 to 2010 tax years.**

RECOMMENDED ACTION: Receive and file the financial report and provide staff direction on any possible modifications to Mills Act Program to reduce financial impacts of program.

MOTION -  
SECOND -  
AYES -

#### 7.3 **Report from Fire Chief on proposed City of Orange Fire Department budget reduction plan.**

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## 8. REPORTS FROM CITY MANAGER

## 9. LEGAL AFFAIRS

### 9.1 [ORDINANCE NO. 1-10](#) (SECOND READING)

An Ordinance of the City Council of the City of Orange Amending Chapter 5.56 of the Orange Municipal Code Regulating the Licensing and Operation of Massage Establishments.

MOTION -  
SECOND -  
AYES -

### 9.2 [ORDINANCE NO. 4-10](#) (FIRST READING)

An Ordinance of the City Council of the City of Orange Amending Chapter 8.37 of the Orange Municipal Code Relating to Removal of Graffiti.

MOTION -  
SECOND -  
AYES -

### 9.3 [RESOLUTION NO. 10438](#)

A Resolution of the City Council of the City of Orange Amending the Master Schedule of Fees and Charges for Services of Removing Graffiti on Public and Private Property.

MOTION -  
SECOND -  
AYES -

# CITY COUNCIL AGENDA

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

## 11. RECESS TO CLOSED SESSION

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

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

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

Employee Organizations: All Bargaining Units

b. To consider and take possible action upon such other matters as are orally announced by the City Attorney, City Manager, or City Council prior to such recess unless the motion to recess indicates any of the matters will not be considered in Closed Session.

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## 7:00 P.M. SESSION

### 12. 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.**

### 13. PUBLIC HEARINGS

#### 13.1 FY 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; AND HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM.

Time set for public hearing to consider allocation of CDBG funds; and allocation of HOME funds for affordable housing projects.

Staff Report / Council Questions

Open Hearing / Public Comments / Close Hearing

Council Comments / Council Action

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

##### Community Development Block Grant Program

- 1) Approve the funding recommendations of the CDBG Program Committee and staff for the City's FY 2010-11 CDBG Program;
- 2) Authorize staff to request and receive its FY 2010-11 CDBG entitlement of \$1,436,090 from the United States Department of Housing and Urban Development (HUD) and rebudget \$171,668 of CDBG funds from prior years for a total FY 2010-11 CDBG Program budget of \$1,607,758.
- 3) Authorize the City Manager or his designee to execute the FY 2020-11 CDBG Program Grant Agreement and all related documents on behalf of the City; and
- 4) Authorize the City Manager or his designee to execute FY 2010-11 Memoranda of Understanding with City Departments, Subrecipient Agreements with nonprofit agencies, and all related CDBG Program documents.

##### HOME Investment Partnerships Act Program

- 1) Authorize staff to request and receive its FY 2010-11 HOME entitlement from HUD;
- 2) Authorize the City Manager or his designee to execute the FY 2010-11 HOME Program Grant Agreement and all related documents on behalf of the City.

MOTION -

SECOND -

AYES -

# CITY COUNCIL AGENDA

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## 13. PUBLIC HEARINGS (Continued)

### 13.2 CITY OF ORANGE GENERAL PLAN 2006-2014 HOUSING ELEMENT, GENERAL PLAN AMENDMENT NO. 2009-05 AND MITIGATED NEGATIVE DECLARATION NO. ENV 1822-09.

[Click on links to access supporting documentation.](#)

<a href="#">Staff Report</a>	<a href="#">Exhibit B Part 1</a>
<a href="#">Exhibit A</a>	<a href="#">Exhibit B Part 2</a>

Time set for public hearing to consider adoption of the updated General Plan Housing Element in accordance with State law.

Staff Report / Council Questions  
Open Hearing / Public Comments / Close Hearing  
Council Comments / Council Action

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

#### **RESOLUTION NO. 10444**

A Resolution of the City Council of the City of Orange approving and adopting Mitigated Negative Declaration No. 1822-09 and General Plan Amendment No. 2009-05, adopting the 2006-2014 General Plan Housing Element.

Applicant: City of Orange

MOTION -  
SECOND -  
AYES -

## 14. PLANNING AND ENVIRONMENT

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## 15. ADJOURNMENT

The City Council will adjourn to an Adjourned Regular Meeting Study Session on Tuesday, April 27, 2010 at 3:00 p.m. in the Weimer Room, Orange City Hall, to review the Proposed FY 2010-11 Budget.

The next Regular Council Meeting is scheduled for Tuesday, April 27<sup>th</sup> at 4:30 p.m.

**Declaration of City Clerk, Mary E. Murphy, declaring posting of City Council agenda of a regular meeting of April 13, 2010 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.**