April 24, 2012

4:30 P.M. SESSION

1. OPENING

1.1 INVOCATION

Pastor Bob Burris, Taft Avenue Community Church

1.2 PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Carolyn Cavecche

1.3 ROLL CALL

PRESENT -

ABSENT -

1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Presentation of Resolution to City Attorney David DeBerry

Proclamation honoring Arbor Day in Orange

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.**

April 24, 2012

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 April 5 and April 12, 2012.

RECOMMENDED ACTION: Approve.

3.2 City Council Minutes, Regular Meeting of April 10, 2012 and Special Meeting of April 18, 2012.

RECOMMENDED ACTION: Approve.

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

RECOMMENDED ACTION: Approve.

BIDS

3.4 <u>Bid No. 112-13</u>; Community Development Block Grant (CDBG) Project – Americans with Disabilities Act (ADA) Wheelchair Access Ramps at Various Locations, FY 2011-12. Approval of plans and specifications, and request for authorization to advertise for bids.

RECOMMENDED ACTION: 1) Approve plans and specifications and authorize advertising for bids for the CDBG ADA Wheelchair Access Ramps at Various Locations, FY 2011-12; and 2) Approve the transfer of \$16,000.00 between the following accounts: Account No. 310.9645.57130.11070 (CDBG Contingency Fund) to Account No. 310.9645.56330.11328 (ADA Improvements).

3.5 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. Mohammad Tamary
- b. Marilyn K. Goodwin

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

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3. CONSENT CALENDAR (Continued)

CONTRACTS

3.6 Final Acceptance of Bid No. 101-17; East Chapman Avenue Traffic Signal Coordination Project – project performed by Pro Tech Engineering Corp. (No staff report required.)

RECOMMENDED ACTION: Accept public work improvements; authorize release of Aegis Security Insurance Co. of Pennsylvania, Bond No. CTR-3000646 in the amount of \$296,250.00 to the contractor of said job, and authorize the Mayor and City Clerk to execute the Notice of Completion.

3.7 Final Acceptance of Bid No. 101-38; Old Towne Street Lighting Improvements – project performed by California Professional Engineering, Inc. (No staff report required.)

RECOMMENDED ACTION: Accept public work improvements; authorize release of The Hanover Insurance Co. of New Hampshire, Bond No. 1941211 in the amount of \$340,635.00 to the contractor of said job, and authorize the Mayor and City Clerk to execute the Notice of Completion.

3.8 Award of Contract – <u>Bid No. 112-12</u>; to Kormx, Inc., for Annual Concrete Replacement at Various Locations for FY 2011-12 in the amount of \$472,700.00.

RECOMMENDED ACTION: Award the contract and authorize the Mayor and City Clerk to execute on behalf of the City.

PARKING

3.9 Approval of NO FEE Parking Permits in Municipal Parking Lot No. 2 on S. Orange St. for the Assistance League of Orange (10 permits), and the First United Methodist Church (2 permits).

RECOMMENDED ACTION: Approve the requests and issue the parking permits to be valid from July 1, 2012 through December 31, 2012; and also from January 1, 2013 through June 30, 2013.

MOTION -SECOND -AYES -

END OF CONSENT CALENDAR

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April 24, 2012

4.	REPORTS FROM MAYOR CAVECCHE
5.	REPORTS FROM COUNCILMEMBERS
6.	REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS
7.	ADMINISTRATIVE REPORTS
8.	REPORTS FROM CITY MANAGER
9.	LEGAL AFFAIRS
10.	ITEMS RELATING TO THE SUCCESSOR AGENCY TO THE ORANGE REDEVELOPMENT AGENCY

April 24, 2012

11. RECESS TO CLOSED SESSION

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

Conference with Labor Negotiator pursuant to Government Code Section 54957.6:
City Negotiators: Jeffrey Freedman, Special Counsel, Rick Otto, Assistant City Manager, Steven Pham, Human Resources/Employee Relations

Director, and Mike Harary, Assistant Human Resources Director

Employee Organizations: All Bargaining Units

- b. Conference with Legal Counsel Existing Litigation pursuant to California Government Code Section 54956.9(b).
 - 1) Vasquez v. Rackaukas, U.S. Court of Appeal, Ninth Circuit. Case No. 11-55795.
 - 2) All Towing Services, Inc. v. City Council of the City of Orange, et al., OCSC Case No.: 30-2011-00456419.
- c. Conference with Legal Counsel Anticipated Litigation-Significant exposure to litigation pursuant to California Government Code Section 54956.9(b).
 - 1) One potential case.
- d. Conference with Real Property Negotiator Real property negotiations pursuant to Government Code Section 54956.8:

Property: 521 West Maple Avenue.

Successor Agency's Negotiator: Lisa Kim, Acting Economic Development Manager, Mary Ellen Laster, Senior Housing Manager, and Aaron Schulze, Project Coordinator.

Negotiating Parties: Successor Agency to the Orange Redevelopment Agency and William L. Kesserman and Jacquelyn N. Kesserman.

Under Negotiation: Price and terms of payment.

e. 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.

12. ADJOURNMENT

There is no 7:00 p.m. session. The next Regular City Council meeting will be held on Tuesday, May 8, 2012 at 4:30 p.m. in the Council Chambers.

Declaration of City Clerk, Mary E. Murphy, declaring posting of City Council agenda of a regular meeting of April 24, 2012 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.