CITY COUNCIL AGENDA

November 13, 2012

4:30 P.M. SESSION

1. OPENING

1.1 INVOCATION

Senior Pastor Tom Copple, Spirit & Truth Worship Center

1.2 PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Fred Whitaker

1.3 ROLL CALL

PRESENT -
ABSENT -

1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Presentation by Assemblyman Curt Hagman

Presentation of Retirement Resolution to Carol Ellwood

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.**

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 October 18, and October 25, 2012.

RECOMMENDED ACTION: Approve.

3.2 City Council Minutes, Regular Meeting of October 23, 2012.

RECOMMENDED ACTION: Approve.

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

RECOMMENDED ACTION: Approve.

3.4 City Treasurer's Report for the Months of July, August, and September, 2012.

RECOMMENDED ACTION: Receive and file.

AGREEMENTS

3.5 Agreement with Orange County Transportation Authority for the Jamboree Rehabilitation Project.

RECOMMENDED ACTION: Approve the agreement and authorize the Mayor and City Clerk to execute on behalf of the City.

3. CONSENT CALENDAR (Continued)

APPROPRIATIONS

3.6 Appropriation of Donation from the Friends of the Orange Public Library (FOPL).

RECOMMENDED ACTION: 1) Accept a $31,250.00 donation from FOPL into the City's Revenue Account No. 100.2001.48390.19990; and 2) Appropriate and distribute donation to the following accounts:

100.2001.53301.19990 [FOPL-Donations (Library Books)]	$25,050
100.2017.53340.19990 [FOPL-Donations (Craft Supplies-Children's & Teens)]	4,500
100.2016.53340.19990 [FOPL-Donations (Craft Supplies-Adult & Branches)]	500
100.2001.53011.19990 [FOPL-Donations (General Office Supplies)]	1,200
	$31,250

BIDS

3.7 Bid No. 123-15; Upper Serrano Pump Station Paving and Fencing Project. Approval of plans and specifications and authorization to advertise for bids.

RECOMMENDED ACTION: Approve plans and specifications and authorize advertising for bids for the Upper Serrano Pump Station Paving and Fencing Project.

3.8 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. Julian Pena
b. Dan Baker
c. Christina Silvester
d. Richard Quezada
e. Katie and Doug Cicotte

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

CONTRACTS

3.9 Award of Contract – Bid No. 123-03; Annual Pipeline Renewal Project to John T. Malloy, Inc., in the amount of $1,257,836.00.

RECOMMENDED ACTION: 1) Accept Williams Pipeline Contractors, Inc.'s request to withdraw its bid; and 2) Award the contract to the second low bidder and authorize the Mayor and the City Clerk to execute on behalf of the City.

3. CONSENT CALENDAR (Continued)

3.10 Award of Contract – Bid No. 123-11; Mechanical Services and Preventive Maintenance for Heating, Ventilation, and Air Conditioning Equipment (HVAC) at Various City Buildings to Integrity Automated Solutions, in the amount of $63,252.00.

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

3.11 Final Acceptance of Bid No. 112-19; Sewer Line Replacement at Various Locations, FY 2011-12 performed by SND Construction, Inc.; and Authorization to file the Notice of Completion with County Recorder. (No staff report required.)

RECOMMENDED ACTION: Accept public work improvements, authorize release of Hartford Fire Insurance Company of Connecticut, Bond No. 72BCSFZ2754, in the amount of $452,200 to the contractor on said job, and authorize the Mayor and City Clerk to execute the Notice of Completion.

3.12 Final Acceptance of Bid No. 112-20; Alley and Street Improvements: Compton Avenue Neighborhood, Tularosa Avenue Neighborhood, Highland Street Neighborhood and Hewes Street Alley, FY 2011-12 performed by Hardy & Harper, Inc.; and Authorization to file the Notice of Completion with the County Recorder. (No staff report required.)

RECOMMENDED ACTION: Accept public work improvements, authorize release of International Fidelity Insurance Company, Bond No. 0572716, in the amount of $755,000.00 to the contractor on said job, and authorize the Mayor and City Clerk to execute the Notice of Completion.

RESOLUTIONS

3.13 RESOLUTION NO. 10682

A Resolution of the City Council of the City of Orange approving the Memorandum of Understanding between the City of Orange and the Orange Management Association (OMA) concerning wages, hours, and other conditions of employment effective July 1, 2012 through and including June 30, 2013, and repealing Resolution No. 10643 and amendments thereto for said employees.

RECOMMENDED ACTION: Approve 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. CONSENT CALENDAR (Continued)

3.14 RESOLUTION NO. 10683

A Resolution of the City Council of the City of Orange expressing appreciation to Sergeant Jeff Gray, Orange Police Department, commending him for more than 28 Years of loyal and dedicated service to the City of Orange.

RECOMMENDED ACTION: Approve.

3.15 RESOLUTION NO. 10684

A Resolution of the City Council of the City of Orange regarding the 2012 Christmas Holiday Closure.

RECOMMENDED ACTION: Approve.

3.16 RESOLUTION NO. 10685

A Resolution of the City Council of the City of Orange expressing appreciation to Executive Assistant, Carol Ellwood, of the Orange Police Department and commending her for more than 27 Years of loyal and dedicated service.

RECOMMENDED ACTION: Approve.

3.17 RESOLUTION NO. 10686

A Resolution of the City Council of the City of Orange expressing appreciation to Maria D. Cervantes of the Public Works Department and commending her for more than 21 Years of loyal and dedicated service.

RECOMMENDED ACTION: Approve.

REPORTS

3.18 Sewer Master Plan Update.

RECOMMENDED ACTION: Receive and file.

3. CONSENT CALENDAR (Continued)

3B. SUCCESSOR AGENCY TO THE ORANGE REDEVELOPMENT AGENCY

3.19 Award of Contract – Bid No. 123-14; Slurry Seal at Various Successor Agency Owned Parking Lots to Pavement Coatings Company, in the amount of $140,637.00.

RECOMMENDED ACTION: 1) Transfer $4,701.00 from CIP Account No. 940.9810.56015.20052 (174 South Orange Street) to CIP Account No. 940.9810.56020.30011 (Agency-Owned Parking Lot Maintenance); and 2) Award the contract and authorize the Chairperson and Clerk of the Successor Agency to execute on behalf of the Successor Agency.

MOTION -
SECOND -
AYES -

END OF CONSENT CALENDAR

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4. REPORTS FROM MAYOR CAVECCHE

4.1 Update on Street Sweeping RFP

4.2 Parties – Notice of Disturbance

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 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: 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**:** Orange Fire Union, Orange Fire Management Association, Orange Maintenance & Crafts Employees Association, Executive Directors and Top Management Employees, City of Orange Police Association, and City of Orange Police Management Association.

b. Conference with Legal Counsel – Potential Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(b).

   1) One potential case.

c. 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, November 27, 2012 at 4:30 p.m. in the Council Chambers.

Declaration of Chief Clerk, Robert Zornado, declaring posting of City Council agenda of a regular meeting of November 13, 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.