CITY COUNCIL AGENDA

March 26, 2013

4:30 P.M. SESSION

1. OPENING

1.1 INVOCATION

Reverend Chineta Goodjoin, New Hope Presbyterian Church

1.2 PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor pro tem Mark A. Murphy

1.3 ROLL CALL

PRESENT -
ABSENT -

1.4 PRESENTATIONS/ ANNOUNCEMENTS/ INTRODUCTIONS

Recognition of 2012 Community Partners

Presentation of Proclamation Honoring Police Sergeant David Vullo

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.**

CITY COUNCIL AGENDA

March 26, 2013

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 February 28, March 7, and March 14, 2013.

RECOMMENDED ACTION: Approve.

3.2 City Council Minutes, Regular Meeting of March 12, 2013 and Adjourned Regular Meeting of March 12, 2013.

RECOMMENDED ACTION: Approve.

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

RECOMMENDED ACTION: Approve.

3.4 Investment Oversight Committee Report, period ending February 28, 2013.

RECOMMENDED ACTION: Receive and file.

AGREEMENTS

3.5 Second Amendment to Agreement with Tetra Tech, Inc. for Additional Engineering Services for the Design of Well 27, in the amount of $42,000.00.

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

3.6 First Amendment to Agreement with GKK Works, Inc. for Maintenance Management Services at the Del Rio Community Facilities District and Santiago Hills Landscape Assessment District, in an amount not-to-exceed $42,600.00.

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

3. CONSENT CALENDAR (Continued)

3.7 Agreement with Bithell, Inc. for Installation of Anti-Graffiti Coating on Park Structures, in the amount of $117,000.00.

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

3.8 First Amendment to Agreement with Lilley Planning Group for Current Planning Services including Discretionary Case Processing, in the amount of $20,000.00.

RECOMMENDED ACTION: Appropriate $20,000.00 from Account No. 100.6021.48210.20096 (Expense Reimbursement) to Account No. 100.6021.51670.20096 (Other Professional & Consulting Services – Lilley Planning Group) and authorize the Mayor and City Clerk to execute on behalf of the City.

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. Karen Andrews
b. Roy Arredondo
c. Patrick D. McNeal

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

CONTRACTS

3.10 Award of Contract – Bid No. 123-24; Annual Pavement Maintenance at Various Locations, Fiscal Year 2012-13 to R. J. Noble Company, in the amount of $2,842,495.00.

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

GRANTS

3.11 Addendum to 2010 Urban Area Security Initiative (UASI) Grant – Santa Ana / Anaheim Urban Area Training Allocations.

RECOMMENDED ACTION: Appropriate an additional $12,000.00 to the original allocation of $35,000.00 from the General Fund revenue Account No. 100.3023.45495.20101 to Account No. 100.3023.51840.20101 (Fire – Fire Training – 2010 UASI TLO Training).

3. CONSENT CALENDAR (Continued)

PURCHASES

3.12 Proposition 69, DNA, Fingerprint, Unsolved Crime, and Innocence Protection Act, Funding for the Purchase and Installation of Evidence Lockers for the Property Deposit Room 07, and the Bulk Property Room 08, in the Police Department's Property Unit. The Total Funding from the County of Orange is $76,859.00.

RECOMMENDED ACTION: 1) Appropriate $71,050.00 from Account No. 100.4034.45495.20209 to Account No. 100.4034.55131.20209 (Lab/Property-Equipment-2012 Prop 69 DNA Initiative); and 2) Appropriate $1,607.00 from Unreserved Federal Asset Forfeiture Fund to Account No. 355.4034.55131.20209 (Federal Asset Forfeiture-Lab/Property-Equipment-2012 Prop 69 DNA Initiative) for the purchase of equipment for the Property unit from McMurray-Stern as a sole source vendor.

REPORTS

3.13 Audited Financial Statements and Related Financial Reports for the Fiscal Year ended June 30, 2012.

Please click on the links below to access the supporting documentation.

Staff Reports & Attachments	**Attachments Part 2**

RECOMMENDED ACTION: Approve

RESOLUTIONS

3.14 RESOLUTION NO. 10695

A Resolution of the City Council of the City of Orange Amending Resolution No. 10589 Relating to the Classification, Compensation, and Terms of Employment of Executive Directors and Top Management Employees for the period July 1, 2012 through June 30, 2013.

RECOMMENDED ACTION: Approve

3. CONSENT CALENDAR (Continued)

SPECIAL EVENTS

3.15 Consideration of Approval of two Special Event Permits:

1) **Motorsports Industries to host their annual Z-Car Exhibition Car Show and to authorize the closure of Collins Avenue from Batavia to Main; and**
2) **Orange Blossoms, an Auxiliary of Assistance League of Orange, California, Inc., to hold their annual "Taste of Orange" and to authorize the sale, and permit the purchase, possession, and consumption of alcoholic beverages on a portion of the South Orange Street public parking lot during this event.**

RECOMMENDED ACTION: 1) Approve the Special Event Permit with Motorsports Industries to host their Annual Z-Car Exhibition Car Show on April 28, 2013, and authorize the closure of Collins Avenue from Batavia to Main, pursuant to the requirements of OMC §12.58.015; 2) Approve the Special Event Permit with Assistance League of Orange, California, Inc., to hold their Annual "Taste of Orange" on April 28, 2013; and 3) Authorize the sale and permit the purchase, possession, and consumption of alcoholic beverages at the annual "Taste of Orange" event on a portion of the South Orange Street public parking lot pursuant to the requirements of OMC §5.72.080.

MOTION -
SECOND -
AYES -

END OF CONSENT CALENDAR

* * * * * * * * * *

4. REPORTS FROM MAYOR SMITH

5. REPORTS FROM COUNCILMEMBERS

6. REPORTS FROM BOARDS, COMMITTEES, AND COMMISSIONS

6.1 Accept letter of resignation from Raymond Grangoff from the Orange Planning Commission, effective March 31, 2013.

MOTION -
SECOND -
AYES -

7. ADMINISTRATIVE REPORTS

7.1 2012-13 Mid-Year Budget Adjustments.

RECOMMENDED ACTION:

1) a. Authorize the transfer of $1,000,000 from the unreserved fund balance of the Liability Fund (740) to the Worker's Compensation Fund (730); and
   b. Appropriate $500,000 from the unreserved fund balance of the Worker's Compensation Fund (730) to Account No. 730.1412.52210.00000, Claims Compensation.
2) Authorize the appropriation of $400,000 from the unreserved fund balance of the General Fund to Account No. 100.3021.50221.00000, Regular Salaries—Safety Overtime; and
3) Authorize the actual transfer of $347,746 from the unreserved fund balance of the General Fund to the PEG (Public, Educational, and Government Access) Program Fund (130).

MOTION -
SECOND -
AYES -

8. REPORTS FROM CITY MANAGER

9. LEGAL AFFAIRS

9.1 ORDINANCE NO. 01-13(D) (SECOND READING)

An Ordinance of the City Council of the City of Orange Approving Zone Change No. 1267-12(D) Rezoning Certain Properties in the Old Towne "Focus Area" Generally Located North of La Veta Avenue, South of Palm Avenue, West of the Railroad Tracks, and East of Batavia to Single Family Residential (R-1), in order to Establish Consistency Between the Low Density Residential General Plan Land Use Designation and the Zoning Classification in Accordance with State Law.

MOTION -
SECOND -
AYES -

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. Public Employee Performance Evaluation pursuant to Government Code Section 54957.
   Title: City Attorney.
   City Negotiator: Mayor Smith.

b. 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: City of Orange Police Association and City of Orange Police Management Association.

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.

CITY COUNCIL AGENDA

March 26, 2013

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 Zone Change No. 1268-12 Katella Corridor Between Batavia Street and the Western City Limit.

Time set for a public hearing to consider approval of Zone Change 1268-12 to rezone properties in the Katella Corridor 2010 General Plan Land Use Focus Area to Urban Mixed Use (UMU).

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

1) Find that the proposed zoning changes are within the scope of the previously-approved 2010 General Plan, which was evaluated in certified Program EIR No. 1815-09; and find that the Program EIR adequately describes the zoning changes for purposes of CEQA and no new environmental documents are required; and

2) ORDINANCE NO. 02-13 (FIRST READING)

An Ordinance of the City Council of the City of Orange Approving Zone Change No. 1268-12 Rezoning Properties in the Katella Corridor 2010 General Plan Land Use Focus Area between Batavia Street and the Western City Limit to Urban Mixed Use (UMU) to Establish Consistency Between the Urban Mixed Use General Plan Land Use Designation and Zoning Classification in Accordance with State Law.

MOTION -
SECOND -
AYES -

14. PLANNING AND ENVIRONMENT

15. ADJOURNMENT

The next Regular City Council Meeting will be held on Tuesday, April 9, 2013, 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 March 26, 2013 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.