

City Council Meeting Agenda

**Adjourned Regular Meeting
Wednesday, August 24, 2011**

Closed Session
Council Chamber
22 Civic Center Plaza, Santa Ana
5:00 P.M.

Regular Open Meeting
Council Chamber
22 Civic Center Plaza, Santa Ana
(Immediately following the Closed Session Meeting)



Miguel A. Pulido
Mayor

Claudia Alvarez
Mayor Pro Tem – Ward 5

Michele Martinez
Councilmember - Ward 2

P. David Benavides
Councilmember - Ward 4

Vincent F. Sarmiento
Councilmember - Ward 1

Carlos Bustamante
Councilmember - Ward 3

Sal Tinajero
Councilmember - Ward 6



Joseph Straka
Interim City Attorney

Paul M. Walters
Interim City Manager

Maria D. Huizar
Clerk of the Council



NOTE: If you need special assistance to participate in this Council meeting, please contact Ellen Smiley, City ADA Program Coordinator, at (714) 647-5340. Please call prior to the meeting date, to allow the City enough time to make reasonable arrangements for accessibility to this meeting. [Americans with Disabilities Act, Title II, 28 CFR 35.102]

Basic City Council Meeting Information

Code of Ethics and Conduct - The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City's Code can be found on the Clerk of the Council's webpage. The following are the core values expressed: *Integrity · Honesty · Responsibility · Fairness · Accountability · Respect · Efficiency*

Agenda Information - The agenda descriptions provide the public with a general summary of the items of business to be considered by the Council. The Council is not limited in any way by the "Recommended Action" and may take any action which the council deems to be appropriate on an agenda item. *Except as otherwise provided by law, no action shall be taken on any item not listed on the agenda.*

Public Comments/Public Input - Pursuant to Government Code Sec. 54954.3, the public may address the City Council, Community Redevelopment Agency, and/or Housing Authority on any and all matters within the City of Santa Ana's jurisdiction.

At the discretion of the Chair, at the first Public Comment portion of the meeting, all comments may be considered jointly. The public will be given the opportunity to speak three (3) minutes on any and all matters contained on any of the Consent Calendar and Business Calendar items and/or on issues of public interest within the jurisdiction of the City. For public hearings, members of the public shall be given three (3) minutes for each duly noticed hearing (unless the matter is continued prior to taking public testimony). All requests to speak shall be submitted in writing to the Clerk of the Council at the beginning of the meeting and before Public Comments begin. Speaker forms will be available at the meeting.

REQUESTS TO SPEAK SHALL NOT BE ACCEPTED AFTER THE PUBLIC COMMENT SESSION BEGINS WITHOUT PERMISSION OF THE CHAIR. When speaking, all persons addressing the City Council shall follow the rules of decorum as detailed on the back of the speaker form. The presiding officer shall have the power and responsibility to enforce decorum and order of the meeting as set forth in Section 2-104(c) of the Santa Ana Municipal Code.

Consent Calendar - All matters listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion without discussion unless a member of the Council "pulls" an item(s) from the consent calendar for a separate vote.

Senate Bill 343 - As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the City Council members regarding any item on this agenda will be made available for public inspection in the Clerk of the Council Office during normal business hours.

Agenda & Minutes - Staff reports and documents relating to each agenda item are on file in the Office of the Clerk of the Council and are available for public inspection during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. The Clerk's office is located in City Hall, 20 Civic Center Plaza, Room 809, Santa Ana, California, (714)647-6520. Council meeting agendas, staff reports, and Minutes are available the Friday before a Council meeting at the following website address: www.santa-ana.org

Televised Meeting Schedule - All regular meetings will be televised and available for viewing on the City's cable channel. Meetings held in the Council Chamber or other designated locations which are televised live on CTV3 **Time Warner Cable** will be cablecast Mondays at 6:00 p.m., Tuesdays immediately following the meeting at 9:00 a.m., Wednesdays at 6:00 p.m., and Sundays at 1:00 p.m. Meetings held in locations that do not have a live cable feed will be videotaped and shown on CTV3 the day after the meeting.

DVD copies of the meetings for loan will be available for public circulation at the Santa Ana Main Library the day after a meeting.

**CITY OF SANTA ANA
CITY COUNCIL ADJOURNED REGULAR OPEN MEETING**

AUGUST 24, 2011

CALL TO ORDER

MAYOR PULIDO

COUNCILMEMBERS ALVAREZ, BENAVIDES,
BUSTAMANTE, MARTINEZ, TINAJERO,
SARMIENTO

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

CLOSED SESSION REPORT

The City Attorney will report items to be added to Consent Calendar Item 19A from the Closed Session meeting.

PUBLIC COMMENT

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CONSENT CALENDAR

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar items: Items 10A through 25G.

ADMINISTRATIVE MATTERS

MINUTES

10A MINUTES FROM THE SPECIAL CLOSED MEETING OF THE CITY COUNCIL HELD ON JULY 28, 2011 - Clerk of the Council Office

RECOMMENDED ACTION: Approve Minutes.

10B MINUTES FROM THE REGULAR MEETING OF THE CITY COUNCIL HELD ON AUGUST 1, 2011 - Clerk of the Council Office

RECOMMENDED ACTION: Approve Minutes.

10C MINUTES FROM THE REGULAR MEETING OF THE CITY COUNCIL HELD ON AUGUST 15, 2011 - Clerk of the Council Office

RECOMMENDED ACTION: Approve Minutes.

ORDINANCES/SECOND READING

11A ORDINANCE NO. NS-2822 - AMENDING CHAPTER 36 OF THE SANTA ANA MUNICIPAL CODE ESTABLISHING SPEED LIMITS FOR CITY STREETS - Public Works Agency

Placed on first reading at the August 1, 2011 City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on August 5, 2011.

RECOMMENDED ACTION: Place ordinance on second reading and adopt.

ORDINANCE NO. NS-2822 - AN ORDINANCE OF THE CITY OF SANTA ANA REVISING ARTICLE VII OF CHAPTER 36 OF THE SANTA ANA MUNICIPAL CODE, SETTING THE PRIMA FACIE SPEED LIMITS FOR STREETS IN THE CITY

BOARDS / COMMISSIONS / COMMITTEES

13A COUNCIL COMMITTEE REPORTS – Police Department

RECOMMENDED ACTION: Receive and file the Public Safety Committee Minutes of May 24, 2011.

13B COUNCIL COMMITTEE REPORTS – Parks, Recreation & Community Services Agency

RECOMMENDED ACTION: Receive and file the Parks, Recreation, Education and Youth Committee (PREY) Minutes of May 31, 2011.

MISCELLANEOUS ADMINISTRATION

19A CLOSED SESSION REPORT – City Attorney’s Office

19B EXCUSED ABSENCES – Clerk of the Council Office

RECOMMENDED ACTION: Excuse the absence of Councilmembers Bustamante, Martinez and Sarmiento from the August 15, 2011 City Council meeting.

19C DONATION OF EQUIPMENT TO NAHUIZALCO AND SONSONATE, EL SALVADOR – Police Department

RECOMMENDED ACTION: Authorize the donation of one patrol vehicle from the Santa Ana Police Department to the municipality of Nahuizalco (El Salvador) and 50 bullet-proof vests to the police delegations of Nahuizalco and Sonsonate (El Salvador) and Municipal Police of Sonsonate

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

20A APPROPRIATION ADJUSTMENT - ACCEPTING THE OFFICE OF TRAFFIC SAFETY GRANT – Police Department

RECOMMENDED ACTION: Approve an appropriation adjustment. *(Requires five affirmative votes)*

APPROPRIATION ADJUSTMENT NO. 2012-34 – Accepting the California Office of Traffic Safety, DUI Enforcement and Awareness Program Grant in the amount of \$331,380 into the revenue account and appropriate same into the California Office of Traffic Safety, DUI Enforcement and Awareness Program expenditure accounts

20B APPROPRIATION ADJUSTMENT - ACCEPTING PROP-69 DNA FUNDING - Police Department

RECOMMENDED ACTION: Approve an appropriation adjustment. *(Requires five affirmative votes)*

APPROPRIATION ADJUSTMENT NO. 2012-01- Approve the acceptance and appropriation adjustment transfer of Prop-69 DNA funding in the amount of \$32,989 from the City revenue account and appropriate same into the Police Department Forensics Services Account revenue account for the reimbursement cost associated with the collection of DNA collection in the amount of \$32,989.

20C APPROPRIATION ADJUSTMENT - ACCEPTING FY 2010/11 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND – Police Department

RECOMMENDED ACTION: Approve an appropriation adjustment. *(Requires five affirmative votes)*

APPROPRIATION ADJUSTMENT NO. 2012-032 - Approve an appropriation adjustment recognizing the FY 2010/11 Supplemental Law Enforcement Services Fund in the amount of \$262,130 into the revenue account and appropriate same into the expenditure accounts.

20D APPROPRIATION ADJUSTMENT – SOUTH BAY WORKFORCE INVESTMENT BOARD NATIONAL EMERGENCY GRANT – Community Development Agency

RECOMMENDED ACTIONS:

1. Approve an appropriation adjustment. *(Requires five affirmative votes)*

APPROPRIATION ADJUSTMENT NO. 2012-030 - Recognizing \$137,885.45 in Department of Labor Workforce Investment Act funds awarded to the City of Santa Ana Workforce Investment Board by South Bay Workforce Investment Board, Inc. for a Dislocated Worker Program.

2. Authorize the City Manager or his designee to execute an agreement.

AGMT - With South Bay Workforce Investment Board, Inc. in the amount of \$137,885.45, subject to non-substantive changes approved by the City Manager and City Attorney.

20E APPROPRIATION ADJUSTMENT AND DONATION – TARGET STORES DONATION FOR “NATIONAL NIGHT OUT” COMMUNITY EVENT – Police Department

RECOMMENDED ACTIONS:

- 1. Authorize the acceptance of a donation in the amount of \$1,000 from the Target Stores, to be used by the Police Department “National Night Out” event.**
- 2. Approve an appropriation adjustment. (*Requires five affirmative votes*)**

APPROPRIATION ADJUSTMENT NO. 2012-029 – Recognizing the donation in the amount of \$1,000 into the Police Special Revenue Fund, Gifts and Donations revenue account and appropriate same into the Police Special Revenue Fund, Operating Materials and Supplies expenditure account.

20F APPROPRIATION ADJUSTMENT - ACCEPTING THE OFFICE OF EMERGENCY SERVICES PROGRAM SUPPLEMENTAL GRANT FUNDS – Police Department

RECOMMENDED ACTION: Approve an appropriation adjustment. (*Requires five affirmative votes*)

APPROPRIATION ADJUSTMENT NO. 2012-033 – Accepting the State of California Office of Emergency Services 2007 Anti-gang Initiative Supplemental Grant Funds in the amount of \$3,615 into the revenue account and appropriate same into the California Office of Emergency Services 2007 Anti-gang Initiative Supplemental Grant Program expenditure accounts.

AGREEMENTS

RECOMMENDED ACTION: Authorize the City Manager and Clerk of the Council to execute the following agreements, subject to non-substantive changes approved by the City Manager and City Attorney and/or actions as noted on the Request for Council Action report. (Item 25A through 25G)

- 25A AGMT – FOR PLANNING AND ENVIRONMENTAL SERVICES FOR THE SANTA ANA GENERAL PLAN CIRCULATION ELEMENT UPDATE (PROJECT 12-6754) - With IBI Group in an amount not to exceed \$500,000 – Planning & Building Agency and Public Works Agency
- 25B AGMT - ENVIRONMENTAL SERVICES FOR ORANGE-MCFADDEN PARK SITE - With The Planning Center in an amount not to exceed \$101,640 - Planning & Building Agency and Parks, Recreation & Community Services Agency
- 25C AMENDMENTS TO HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM AGREEMENTS – Community Development Agency
- AGMT - With Interval House increasing the (Rapid Re-Housing) grant in the amount of \$53,750
 - AGMT - With WISE Place increasing the (Rapid Re-Housing and Homelessness Prevention) grant in the amount of \$53,750
 - AGMT - With Olive Crest decreasing the (Homelessness Prevention) grant in the amount of \$15,000
 - AGMT - With Olive Crest decreasing the (Rapid Re-Housing) grant in the amount of \$55,000
 - AGMT - With Public Law Center decreasing the (Homelessness Prevention) grant in the amount of \$17,500
 - AGMT - With Illumination Foundation decreasing the (Homelessness Prevention) grant in the amount of \$20,000
- 25D AGMT - REWIRING STREET LIGHTS IN OAKMONT – FAIRMONT NEIGHBORHOOD – With Macadee Electrical Construction, Inc. in an amount not to exceed \$31,135 - Public Works Agency

- 25E AGMT - MASTER FUNDING AGREEMENT FOR M2 COMPREHENSIVE TRANSPORTATION FUNDING PROGRAMS – With Orange County Transportation Authority - Public Works Agency
- 25F PROVIDE AND INSTALL LED STREET LIGHTS AND NO-COST FUNDING – Public Works Agency
- AGMT – With Republic ITS, Inc. to provide and install 253 LED streetlights for an amount not to exceed \$162,000
 - AGMT – With Southern California Edison to provide no-cost funding through On-Bill Financing for the LED streetlights
- 25G AGMT – STREET LIGHT POLE REPAINTING - With Street Light Restoration Specialists, Inc. to repaint 210 thirty-foot street light poles and luminaire arms on Main Street for an amount not to exceed \$36,000 – Public Works Agency

****END OF CONSENT CALENDAR****

BUSINESS CALENDAR

RESOLUTIONS

- 55A RESOLUTION – PUBLIC FACILITY NAMING NO. 2011-01 – OPEN AREA ON FOURTH AND FRENCH STREETS - Planning and Building Agency

RECOMMENDED ACTIONS:

1. **Approve the Public Facilities Naming Request initiated by the City of Santa Ana by naming the property located at 325 East Fourth Street one of the following:**
 - (1) Plaza (or Placita) Calle Cuatro; or
 - (2) Plaza (or Placita) Cinco de Mayo; or
 - (3) Plaza (or Placita) Santa Ana; or
 - (4) Plaza (or Placita) Fiesta; or
 - (5) El Zocalo.

2. **Adopt a resolution.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO NAME THE PUBLIC PROPERTY LOCATED AT 325 EAST FOURTH STREET (PUBLIC FACILITIES NAMING NO. 2011-01)

55B RESOLUTION – EXTENSION OF CONDITIONAL USE PERMIT NO. 2009-11: WINTERSBURG PRESBYTERIAN CHURCH, 2000 NORTH FAIRVIEW STREET – Planning and Building Agency

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA FOR THE EXTENSION OF CONDITIONAL USE PERMIT NO. 2009-11 FOR ONE YEAR FOR THE PROPERTY LOCATED AT 2000 NORTH FAIRVIEW STREET

55C RESOLUTION – PROPOSED AMENDMENT TO CLASSIFICATION AND COMPENSATION PLAN TO ADD PART-TIME JOB TITLES – Personnel Services Agency

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO AMEND RESOLUTION NO. 82-110 TO AMEND THE CITY'S BASIC CLASSIFICATION AND COMPENSATION PLAN TO ADD FOUR NEW PART TIME CLASSIFICATION TITLES IN THE POLICE DEPARTMENT.

55D RESOLUTION – FOR SAFE ROUTES TO SCHOOL GRANT APPLICATIONS – Public Works Agency

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE EXECUTIVE DIRECTOR OF THE PUBLIC WORKS AGENCY TO SUBMIT FIVE PROJECTS TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR FUNDING THROUGH THE FEDERAL SAFE ROUTES TO SCHOOL PROGRAM

55E RESOLUTION – AMEND THE PARS TRUST PLAN TO INCLUDE INCUMBENT POLICE OFFICERS' ASSOCIATION (POA) PRESIDENT – Personnel Services Agency

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE PARS TRUST SUPPLEMENTARY RETIREMENT PLAN TO INCLUDE CURRENT POLICE UNION PRESIDENT PAY

**JOINT SESSION OF THE CITY COUNCIL AND
THE COMMUNITY REDEVELOPMENT AGENCY**

80A RESOLUTION OF INTENT TO ENACT AN ORDINANCE PURSUANT TO ABX1 27 AND ESTABLISHING ENFORCEABLE OBLIGATION PAYMENT SCHEDULE OF THE SANTA ANA COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO ABX1 26 – Community Development Agency

CITY COUNCIL ACTION

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE

COMMUNITY REDEVELOPMENT AGENCY ACTION

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF SANTA ANA ESTABLISHING AN INITIAL ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT TO ASSEMBLY BILL NUMBER ABX1 26

**JOINT SESSION OF THE CITY COUNCIL AND
THE SANTA ANA FINANCING AUTHORITY**

80B LEASE AGREEMENT WITH T-MOBILE FOR INSTALLATION OF TELECOMMUNICATIONS SITE AT CORPORATE YARD – Finance & Management Services

CITY COUNCIL

RECOMMENDED ACTIONS:

- 1. Authorize the City Manager and the Clerk of the Council to execute a lease agreement.**

AGMT - With T-Mobile for a telecommunications cell site at the City's Corporate Yard, subject to non-substantive changes approved by the City Manager and City Attorney.

2. Receive and file Categorical Exemption for Environmental Review No. 2009-132 (City Yard).

SANTA ANA FINANCING AUTHORITY

RECOMMENDED ACTION: Authorize the Executive Director to execute a Certification with consent to sublease.

COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)

SANTA ANA FINANCING AUTHORITY MEETING (Lavender Agenda)

PUBLIC HEARING

75A PUBLIC HEARING – AMENDMENT OF MANAGEMENT DISTRICT PLAN TO ADJUST THE BOUNDARIES FOR THE DOWNTOWN SANTA ANA COMMUNITY MANAGEMENT DISTRICT – Community Development Agency

Set for public hearing at the August 1, 2011 City Council Meeting by a vote of 5-0 (Pulido and Sarmiento abstained)

Legal notice published in the Orange County Register on August 12, 2011, and notices mailed to business and property owners on August 11, 2011.

RECOMMENDED ACTIONS:

1. Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA MODIFYING THE MANAGEMENT DISTRICT PLAN TO ADJUST THE BOUNDARIES AND ENGINEER'S REPORT FOR THE DOWNTOWN SANTA ANA COMMUNITY MANAGEMENT DISTRICT

2. Approve the Amended Downtown Santa Ana Community Management District - The Management District Plan and Engineer's Report reflecting the boundary modifications.
3. Authorize staff to submit the FY 2011-12 Downtown Santa Ana Community Management District special assessment data to the Orange County Auditor-Controller on August 25, 2011.

CITY COUNCIL AGENDA ITEM

Pursuant to Santa Ana Charter Section 411, any member of the City Council may place items on the City Council Agenda to be considered by the City Council.

- 85A RESOLUTION OF INTENT TO SET PUBLIC HEARING DATE –
DISESTABLISH THE COMMUNITY MANAGEMENT DISTRICT (CMD) -
Mayor Pro Tem Alvarez

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA
STATING ITS INTENTION TO DISESTABLISH THE DOWNTOWN
SANTA ANA COMMUNITY MANAGEMENT DISTRICT, AND SETTING A
TIME AND PLACE FOR PUBLIC HEARING THEREON

COMMENTS

PUBLIC COMMENTS (If not considered by the Chair at an earlier time. Please refer to
Basic City Council Meeting Information page for details).

- 90A CITY MANAGER’S COMMENTS

- 90B CITY COUNCILMEMBER COMMENTS

ADJOURNMENT - The next meeting of the City Council will be a Regular Open
Meeting to be held on **Tuesday**, September 6, 2011 at 5:00 p.m. in
the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.

**Adjourned in Memory of
Monica Casarez Martinez**