

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA, CALIFORNIA**

AUGUST 4, 2015

CLOSED SESSION MEETING

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
5:12 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
VINCENT F. SARMIENTO, Mayor Pro Tem
P. DAVID BENAVIDES
MICHELE MARTINEZ
ROMAN A. REYNA

COUNCILMEMBERS Absent:
ANGELICA AMEZCUA
MIGUEL A. PULIDO, Mayor
SAL TINAJERO

STAFF Present:
DAVID CAVAZOS, City Manager
LAURA A. ROSSINI, Senior Assistant City
Attorney
MARIA D. HUIZAR, Clerk of the Council

PUBLIC COMMENTS - None

COUNCIL RECESSED to Room 147 for Closed Session discussion at 5:13 p.m.

CLOSED SESSION ITEMS - The Brown Act permits legislative bodies to discuss certain matters without members of the public present. The City Council finds, based on advice from the City Attorney, that discussion in open session of the following matters will prejudice the position of the City in existing and anticipated litigation:

1. CONFERENCE WITH LEGAL COUNSEL -- POTENTIAL LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 of the Government Code: (A White and Yellow Cab, Inc.)

2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6(a):

Agency Negotiators: Personnel Services Executive Director, Ed Raya

Employee Organizations: Santa Ana Police Officers Association (POA)
Service Employees' International Union (SEIU) Full-Time Employees

Agency Negotiator: City Manager, David Cavazos

Employee Organizations: Executive Management (EM)

CLOSED SESSION REPORT - The City Attorney will report on any action(s) to be taken at the Regular Meeting which will begin immediately following the Closed Session Meeting.

ADJOURNED CLOSED SESSION AND CONVENED TO THE REGULAR OPEN SESSION AT 5:52 P.M.

REGULAR OPEN MEETING

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CA
6:02 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
VINCENT F. SARMIENTO, Mayor Pro Tem
ANGELICA AMEZCUA
P. DAVID BENAVIDES
MICHELE MARTINEZ
ROMAN A. REYNA
SAL TINAJERO

COUNCILMEMBERS Absent:
MIGUEL A. PULIDO, Mayor

STAFF Present:
DAVID CAVAZOS, City Manager
LAURA A. ROSSINI, Senior Assistant City
Attorney
MARIA D. HUIZAR, Clerk of the Council

PLEDGE OF ALLEGIANCE

SONIA BRAVO-SANCHEZ, GODINEZ HIGH
SCHOOL

INVOCATION

RUPERT VEGA, POLICE CHAPLAIN

PRESENTATIONS

CERTIFICATE OF RECOGNITION presented by **COUNCILMEMBER BENAVIDES** to Jannett Mendoza of Luna Kutsi Restaurant in recognition of her grand opening and in celebration of Mexican Art, Culture and Food.

CERTIFICATE OF RECOGNITION presented by **COUNCILMEMBER MARTINEZ** to Consul Mario Cuevas on his appointment as the new Consul of Mexico, in Santa Ana.

CERTIFICATE OF RECOGNITION presented by **COUNCILMEMBER MARTINEZ** to Nick Alvidrez for his unselfish contributions and positive influence on youth in Santa Ana.

CERTIFICATES OF RECOGNITION presented by **COUNCILMEMBER REYNA** to the following Santa Ana 4th of July event volunteers:

Erika Alvarez; Paula Alvarez; Sonia Sanchez Bravo; Luis Camero; Judith Carrillo; Griseldi Delacruz; Kenia de la Cruz; Andrea Diaz; Oswaldo Faro; Ricardo Fuentes; Victor Gonzalez; Christine Laniagua; Johnathan Mendez; Viviana Nguyen; Michael Orellana; Tristan Orellana; Isabel Ortiz; Omar Ramirez; Dalia Reyna; Mario Reyna; Guillermo Sanchez; Zarisbeth Soto; Alfredo Torreblanca; Erika Torreblanca; Gardenia Zamacona.

CLOSED SESSION REPORT - - See Agenda Item 19A for Closed Session Report.

PUBLIC COMMENT

1. Aaron Palusa, spoke in opposition to Agenda Item 32B; concerned with lack of noticing – no written notice of November or June meetings; mobile homes are within 600 feet of proposed project with little or no mitigation measures to protect those residents.
2. John Wesson, Agenda Item 32B, concerned with project and proximity to mobile home park.
3. Maria Reyna, spoke on Agenda Item 25A, spoke in support of grant opportunity.
4. Alicia Rojas, spoke on Agenda Item 25A, thanked City Council for support.
5. Madeline Spencer, spoke on homeless issues in and around the civic center area; supports use of former bus terminal for services.
6. Ryan Smolar, spoke on Agenda Item 25A and 25E, thanked the City Council for arts project grant funding.
7. Nancy Alcala, spoke on Agenda Item 25A, thanked the City Council for opportunities generated through grant funds.

TELECONFERENCE

*Pursuant to Government Code Section 54953(b), Mayor Pro Tern Tinajero participated in a portion of the meeting via teleconference from All Star Vacation Homes, 2788 Almaton Loop # 301, Kissimmee, FL 34747 at 6:58 p.m.. The Agenda for said meeting was posted at said location as required by the Brown Act.

AGENDA ITEMS TAKEN OUT OF ORDER - PUBLIC HEARINGS

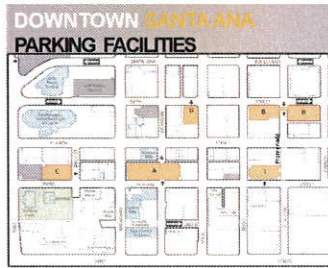
- 75A. ADOPT DOWNTOWN ENHANCEMENTS AND PARKING MODERNIZATION PLAN AND ADOPT GOVERNING PARKING ORDINANCE AND RESOLUTION {STRATEGIC PLAN NO. 3, 4, 4B} - Finance & Management Services Agency

Legal Notice published in The Notice (LASOC) on July 24, 2015.

Staff report presented by City Manager Cavazos.

Current Conditions and Needs: Off-street Parking

- Parking structure rates have not changed in *over 20 years*.
- Since being built in the 1980s, structures operate with original parking equipment.
- High expenses due to constant equipment repairs and labor costs.
- Operation is inefficient due to manual intensive processes.



GARAGE A | 3RD & BROADWAY
(3 Levels – 440 Spaces)

GARAGE C | 3RD & BIRCH
(5 Levels – 400 Spaces)

GARAGE B | 5TH & SPURGEON
(4 Levels – 700 Spaces)

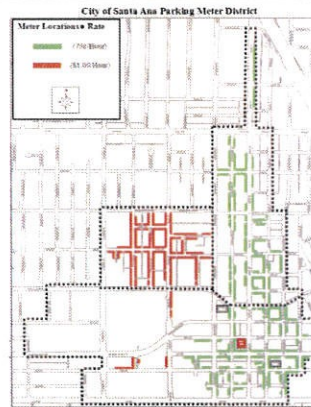
GARAGE D | 5TH & MAIN
(7 Levels – 400 Spaces)

LOT 1 | 3RD & BUSH LOT (PAY & DISPLAY)
(59 Spaces)

2

Current Conditions and Needs: On-street Parking

- Parking meter rates were changed 12 years ago.
- Downtown meters are designed for short term parking (2 hrs. maximum stay)
- *Less expensive* to park in a metered space than parking structure.
 - Result = imbalanced pricing model

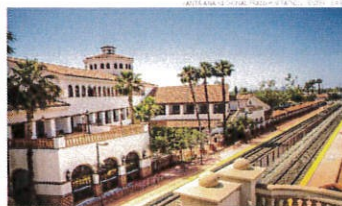
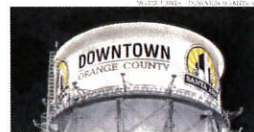


3

Downtown Santa Ana is:

Great Opportunity!

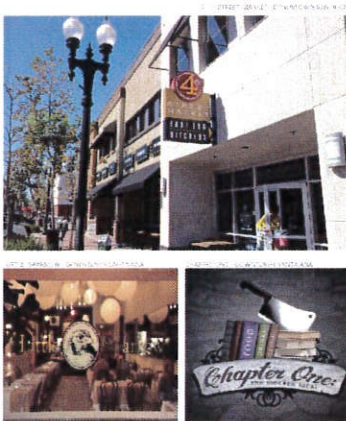
- Heart of Orange County
- The County Seat and government hub
- County transportation hub
- Historic Downtown



4

Downtown Santa Ana is:

- 4th highest density city in the nation
- Downtown sales tax up 39% since 2010
- Voted Best Restaurants in the County – 3 years in a row!
- OC Streetcar is coming!



5

How Do We Improve Downtown Santa Ana?

Downtown Enhancements: Safety (\$5.5M est.)

- Hire and assign four additional police officers exclusively to patrol Downtown. (FY 15-16)
- Increase private security in Downtown and parking structures. (FY 16-17)
- Installation of security cameras and increased pedestrian safety enhancements. (FY 15-16)



6

How Do We Improve Downtown Santa Ana?

Downtown Enhancements: Sanitation & Maintenance (\$1.6M est.)

- Develop a Downtown "Clean Team" to ensure routine and proper maintenance. (FY 16-17)
- New recycling program including installation of additional waste receptacles. (FY 16-17)
- Installation of public restrooms. (FY 16-17)



7

How Do We Improve Downtown Santa Ana?

Downtown Enhancements: Beautification (\$1.5M est.)

- Complete street investments:
 - Attractive public spaces, walkable alleyways and parklets (FY 16-17)
 - LED lighting (FY 16-17)
 - Landscaping and trees (FY 15-16)

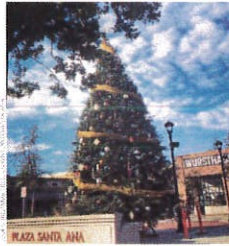


8

How Do We Improve Downtown Santa Ana?

Downtown Enhancements: Marketing (\$500K est.)

- Create an identity brand (FY 15-16)
- Year-round events and promotions (on-going)
- Coordinated marketing materials (on-going)
- Holiday and festive décor (on-going)



9

How Do We Improve Downtown Santa Ana?

Downtown Enhancements: Other Amenities (\$2M est.)

- Public wifi (backbone) system (FY 16-17)
- Wayfinding and directional signage (bid-Fall 2015)
- Circulator and bike share program (FY 15-16)
- Validation program (FY 16-17)



10

How Do We Improve Downtown Santa Ana?

Parking Modernization: Parking Facilities (\$4.5M est.)

- Parking structures have greatest need for improvements. (FY 15-16)
- Replace parking access and revenue control systems with modern automated models. (FY 15-16)
- Upgrades to lighting fixtures, elevators, paint, landscaping and signage. (FY 15-16)



11

Recent Successes and Accomplishments

1. Installed IPS Smart Meters with credit card capabilities.



2. Installed credit card readers in parking structures.



3. Eliminated meter sharing through smart sensor technology.



12

Recent Successes and Accomplishments

4. Pay by phone capability added to parking meters.

"1 Park and Pay by Phone"



5. Implemented valet program at 3rd & Bush lot.



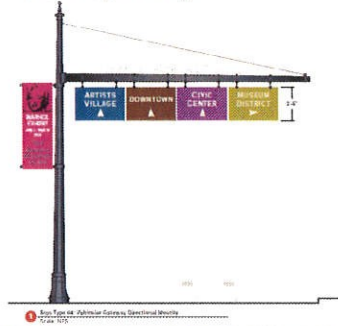
6. Comprehensive facilities assessment complete as well as market parking rate study.

13

Recent Successes and Accomplishments

7. Ongoing improvements planned for signage

and wayfinding.



14

How is this Funded?

Off-Street Parking Rates (parking structures)

- Adjust parking structure rates to \$1.50 per hour upon completion of modernization improvements. (estimated July 1, 2016)

On-Street Parking Rates (parking meters)

- Adjust parking meter rates in the following manner:
 - Midtown Zone to \$1.00 per hour (effective October 1, 2015)
 - Downtown Zone to \$1.50 per hour (effective October 1, 2015)
 - Willard Zone remains at \$1.00 per hour

Parking Enforcement

- Reduce expired meter citation to \$40.00 (currently \$56.00)
- Adjust parking enforcement hours in Downtown Zone from 8am to 10pm
- Modification of parking regulations along portions of Fourth St. to allow parking from 8am to 4am

15

In Summary...

- The proposed plan identifies key areas of improvements and enhancements related to parking operations:
 - Enhance public amenities in Downtown
 - Modernize and upgrade parking structures
 - Address deferred maintenance
 - Provide funding for on-going maintenance
- Amendments to governing ordinance and resolution.
- Success achieved through consensus between stakeholders, business organizations, and City staff.

16

Mayor Pro Tem Sarmiento opened the hearing. The following members spoke on the matter:

- Madeline Spencer, asked if meter upgrades would affect area by Orange County High School of the Arts and Mid-Town area.
- Ryan Chase, supports the improvements proposed in the Plan; also spoke in support of Agenda Item 75B.
- Ryan Smolar, consultant with Downtown Inc.; supports the Plan that will fund the improvements needed to further better the Downtown.
- Raul Yanez, President of Santa Ana Business Inc., expressed support for Plan.
- Claudia Arellanes, seeks City support to improve amenities in the Downtown as proposed in the Plan.
- Sandra Peña, thanked the City Council for supporting Agenda Item 25A and also the Parking Plan with adjustments – citations given even when green light on, Sunday ticketing and compassion for the disabled and elder consciousness and extending meter parking to 3 hours.
- Victor Payan, concerned with recent incident where enforcement officer was ready to ticket even when light was green.
- Theo Hirsch, suggested bike lanes, bike trails and other modes of transportation to be used with funds generated with increased fees.
- Nancy Mejia, representing Latino Health Access, needs equitable development and integrating health and wellness strategies; outlined reasons for not supporting; transparency and accountability and improved coordination to promote health and wellness.
- Paul Diebel, spoke of letter presented for the record by Latino Health Access and concerns with proposed Plan that fails to include health and wellness strategies.

Council discussion ensued.

Councilmember Tinajero, spoke of enhancements throughout including electronic meter reading, credit card payment and supports matter.

Councilmember Martinez, expressed concern, need sustainable and predictable plan that is consistent.

Councilmember Amezcua, expressed support for Plan; asked for impact if change parking meter from 3 hours to 2 hours.

City Manager Cavazos, noted that time can be increased to 4 hours in the evening hours; will be reducing fines and will meet personally with attendants to provide quality customer service.

Councilmember Benavides, spoke of need for public amenities including bathrooms and drinking fountains.

City Manager Cavazos, indicated that line items would be brought back to City Council for approval.

Councilmember Amezcua, requested a family restroom and enhancements for children with disabilities.

Councilmember Reyna, expressed support.

Mayor Pro Tem Sarmiento, staff to address 4th street parking entrance to enter on 4th; ADA access; deference to Santa Ana business owners who are in support of Plan.

MOTION:

1. Adopt Downtown Enhancements and Parking Modernization Plan developed with the consensus and collaborative efforts of various Downtown stakeholders.

2. Place ordinance on first reading and authorize publication of title.

ORDINANCE NO. NS-2880 - AN ORDINANCE OF THE CITY OF SANTA ANA AMENDING CHAPTER 36, ARTICLE VIII OF THE SANTA ANA MUNICIPAL CODE RELATING TO PARKING METERS AND ARTICLE IV RELATING TO PARKING REGULATIONS

3. Adopt a resolution setting parking rates for City owned parking structures to \$1.50 per hour; \$10.00 daily maximum; and \$50.00 per month upon completion of modernization improvements to parking structures; and setting parking rates for the surface lot to \$1.50 per hour.

RESOLUTION NO. 2015-038 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CONFIRMING HOURS AND PARKING RATES FOR SPECIFIED CITY OWNED PARKING FACILITIES

4. Authorize City staff to prepare RFP's and release bids related to the Downtown Enhancements and Parking Modernization Plan.

5. Annual review of progress related to Downtown Enhancements and Parking Modernization Plan.

MOTION: Benavides **SECOND:** Amezcua

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento, Tinajero (5)

NOES: Martinez (1)

ABSTAIN: None (0)

ABSENT: Pulido (1)

75B. ZONING ORDINANCE AMENDMENT NO. 2015-03 TO UPDATE THE HOUSING OPPORTUNITY ORDINANCE AND ADAPTIVE REUSE ORDINANCE {STRATEGIC PLAN NO. 5, 3} – Planning & Building Agency

Planning Commission approved recommended action at the July 20, 2015 special meeting by a vote of 3-2 (Mill & Verino opposed; Alderete & Gartner absent).

Legal notice published in The Notice (LASOC) on July 24, 2015, and notices mailed.

Staff report presented by Hassan Haghani, Executive Director of Planning and Building Agency

Underlying Purpose of housing opportunities ordinance

- Ensure creation of high quality affordable housing along with market rate housing with minimum or no public subsidy.

BACKGROUND

Current Housing Opportunity Ordinance

- Adopted November 2011, referenced in 2014 Housing Element
- Requires 15 percent of new housing to be affordable

ORDINANCE APPLICABILITY

When does Ordinance apply?

- Zone change that results in residential density increase
- Approved applications proposing to increase residential component exceeding original mixed use development approval
- Conversion of commercial or industrial land to residential uses
- Conversion of rental units to condominium ownership of 5 units or more
- Construction of New “residential projects” of 5 or more units

IMPLEMENTATION CHALLENGES

- Unpredictable
- Inconsistent
- Too many unknown steps in process
- Makes adaptive reuse too costly
- Does not allow for reliable financial planning of projects
- Makes Santa Ana less competitive in attracting new market rate housing investment

GOALS OF ORDINANCE AMENDMENT

- Create Affordable Housing Mixed with Market Rate Housing
- Minimize Public Subsidies for Affordable Housing Production
- Maintain Competitive Edge on Attraction of Private Investment in Housing Production
- Clear, Consistent, Predictable Development Pathway
- Allow for Creation of Diverse Housing Options for Socio-economically Diverse Population
- Provide Options to Minimize Inclusionary Housing Cost
- Minimize Negative Impacts on Existing Tenants on Rehab Projects

CONSIDERATIONS

- Constrains Historic Adaptive Reuse/ Building Re-purposing
- Treats New and Existing Development the same while economics differ
- Constrains alternatives to construction of New units on-site

STAKEHOLDER OUTREACH

- ✓ Housing Developers and Housing Advocates
- ✓ Stakeholders Discussions:
 - July 8, 2015
 - July 13, 2015
- ✓ Planning Commission Meeting July 20, 2015

PROPOSED MODIFICATIONS

- Exempt projects approved prior to date of adoption of original HOO ordinance
- Inclusionary Units criteria:
 - For-Sale - Moderate 15 %
 - Rental - Low/ Very Low 10%
- Exempt Adaptive Reuse from HOO requirement

ADAPTIVE REUSE & REPURPOSING

PROPOSED MODIFICATIONS

- Residential Projects over 20 units provide Inclusionary Units on-site
- Provide for off-site construction of units (1 for 1)
- Allow rehabilitation of off-site units at 1.5 rehabilitated units in-lieu of 1 newly constructed unit (1 to 1 for Target Areas)
- Inclusionary Unit production 100% responsibility of developer; no City or Housing Authority assistance

REHABILITATION TARGET AREAS

- Cornerstone Village
- Cedar-Evergreen
- Townsend-Raitt
- West Myrtle

PROPOSED MODIFICATIONS

- All Inclusionary Units (rental and ownership) 55 years
- Apply only to conversions for number of units in excess of General Plan prescribed densities
- Remove Takings Determination from ordinance
- Remove Executive Director Discretionary Authority
- Simplify In-Lieu fee calculation (\$5/square foot of habitable space)

INCENTIVES AND CONCESSIONS

Similar to State Density Bonus (SB 1818):

- Parking:
 - 1 space/ 0-1 bedroom units
 - 2 spaces/2-3 bedroom units
 - 2 ½ spaces for 4 or more bedroom units
- Development Standards:
 - Setback - up to 25 percent
 - Height – up to 20 feet

INCENTIVES AND CONCESSIONS

Similar to State Density Bonus (SB 1818):

- Parking:
 - 1 space/ 0-1 bedroom units
 - 2 spaces/2-3 bedroom units
 - 2 ½ spaces for 4 or more bedroom units
- Development Standards:
 - Setback - up to 25 percent
 - Height – up to 20 feet

INCENTIVES AND CONCESSIONS

Similar to State Density Bonus (SB 1818):

- Sliding Scale additional density bonus for every additional affordable unit beyond required inclusionary units

PROPOSED MODIFICATIONS

- Pipeline projects eligible for newly adopted In-Lieu fee:
 - Deemed complete prior to August 4, 2015
 - Submit new or revised Housing Inclusionary Plan
 - Pay In-Lieu fee of \$5/ square feet
- Revisit/reevaluate in 3 years

DISCUSSIONS SINCE PC MEETING

- Earmarking In-Lieu fees
- In-Lieu fee for 21 or more unit projects at a higher rate
- Allowing up to 50 units to pay in-lieu fee
- Extremely Low not addressed

EARMARKING IN-LIEU FEES

OPEN REQUEST FOR PROPOSAL PROCESS

PC RECOMMENDATION

- Planning Commission recommends City Council approve Zoning Ordinance Amendment No. 2015-03
 - One Commissioner advocated NOT exempting “adaptive reuse” projects
 - One Commissioner would like more time to discuss and absorb draft ordinance
 - Two commissioners absent

RECOMMENDATION & ALTERNATIVES

- Recommendation:
 - Adopt Proposed Draft Amended Ordinance
- Alternative 1:
 - Allow applicants with projects of 21 or more units to pay an in-lieu fee at a higher flat rate established by the City Council;
 - Establish the higher in-lieu fee high enough to sufficiently fund building new affordable housing through open, competitive public process
- Alternative 2:
 - Allow applicants with projects containing up to 50 units to be eligible for paying the in-lieu fee
- Alternative 3:
 - Make no change

Mayor Pro Tem Sarmiento opened the hearing. The following members spoke on the matter:

- Cesar Covarrubias, Executive Director of the Kennedy Commission, submitted letter for the record, submitted recommendations for consideration – include fee on all development projects; need to have standards apply to projects in the pipeline; consider annual review instead of 3 years.
- Beda Ruiz, requested continuance to review impacts of ordinance.
- Abel Ruiz, need for affordable housing accessible; community input necessary for responsible development; consider continuation of matter.
- Madeline Spencer, requested number of affordable units to be produced with proposed ordinance.
- Carlos Melendez, requested continuance to better understand proposal; opined that it may be largest housing plan and need stakeholders participation.
- Tad Springer, spoke on adaptive reuse included in the Ordinance – important to keep the historic elements.
- Joese Hernandez, representing the Centro Cultural of Mexico, requested continuance and more public participation.
- Victor Payan, noted importance of proposed ordinance; continue matter and consider adaptive reuse and economy of arts development first.

- Nancy Alcala, requested postponement of matter and inclusion of residents in the process.

Council discussion ensued.

Mayor Pro Tem Sarmiento, summarized intent of the ordinance; project does not dilute the number of affordable units but provide clarity and predictability to allow for mixed income developments; mixed income developments have resulted in better projects; affordability ordinance was first approved 5 years ago – strong policy statement for dignified and affordable housing.

Proposed amendment to ordinance to increase in lieu fee from \$5 to \$15 a foot to create larger pool of funds to leverage developments that markets do not address; homeownership for moderate income currently defined at 110% area market rate (AMI) which is about \$93,000 for a family of four need to redefine to 80% AMI which is \$56-\$70,000 and allow them to apply for financing; also, developers should have an opportunity to opine as to where those funds are used.

Asked about exemptions of pipeline projects or projects that have been approved, is that modifying the term sheet?

Executive Director of Planning and Building Agency, Haghani, noted that draft ordinance does not automatically exempt pipeline projects, but gives them opportunity to request for new in lieu fee and projects approved prior to draft ordinance does not have agreement to be exempt.

Mayor Pro Tem Sarmiento, support exemptions; noted that historic and commercial structures complex to change use, need to preserve and rehabilitate to create new housing - encourage development of adaptive reuse; motion to approve as amended.

Councilmember Amezcua, asked who would manage the in-lieu fees and how to manage displacement?

Mayor Pro Tem Sarmiento, noted that fees would be required for affordable development; pool funds and procured for applicants for development of low income projects

Executive Director of Planning and Building Agency, Haghani, confirmed that displacement would be managed by developers in accordance with State regulations.

Councilmember Reyna, requested clarification of pipeline projects.

Executive Director of Planning and Building Agency, Haghani, commented that with proposed amendment, pipeline projects that have signed

agreement with the City can pay new fees or remain the same, but if no contract then new fees will apply.

Councilmember Benavides, asked about pipeline projects with pending contracts.

Executive Director of Planning and Building Agency, Haghani, noted that status of pending projects would be provided to the City Council for consideration.

Councilmember Benavides, proposed friendly amendment to allow all pending projects the option of current or proposed regulations.

Executive Director of Planning and Building Agency Haghani, summarized proposed amendments include: 1. Change definition of moderate income formula from 110% to 80% AMI; 2. Change in lieu fee to \$15 per square foot; 3. Developer should have opportunity to opine as to where in-lieu fees should be spent; 4. Development projects in the pipeline be given choice of existing formula for in-lieu fees or proposed rate of \$15 per square foot with the understanding that projects over 21 units must produce the housing on-site.

Councilmember Benavides, clarified that developers would be given a voice although City has final decision since they are public funds.

AMENDED MOTION: Place amended ordinance on first reading and authorize publication of title.

ORDINANCE NO. NS-2881 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING ARTICLE XVIII.I OF THE SANTA ANA MUNICIPAL CODE REGARDING THE HOUSING OPPORTUNITY ORDINANCE AND AMENDING THE ADAPTIVE REUSE ORDINANCE TO EXEMPT SUCH PROJECTS FROM THE APPLICATION OF THE HOUSING OPPORTUNITY ORDINANCE

MOTION: Sarmiento

SECOND: Tinajero

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento, Tinajero (5)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Pulido (2)

*Councilmember Tinajero ended the teleconference meeting at 9:20 p.m.

CONSENT CALENDAR ITEMS

MOTION: Approve the following staff recommendations on the Consent Calendar items 10A through 32C:

- Staff continued agenda Item 22F to the September 1, 2015 City Council Meeting
- Councilmember Benavides pulled Agenda Item 25A for separate discussion; and
- *Appropriation Adjustment Items 20A through 20C initial votes were recalled and items continued to the September 1, 2015 City Council Meeting due to insufficient number of qualified votes.

MOTION: Amezcua **SECOND:** Benavides

VOTE: **AYES:** Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

ADMINISTRATIVE MATTERS

MINUTES

10A. MINUTES FROM THE REGULAR OPEN MEETING OF JULY 7, 2015
 {STRATEGIC PLAN NO. 5, 1} – Clerk of the Council Office

MOTION: Approve Minutes.

ORDINANCES/SECOND READING

In the event a Councilmember recorded an “abstention” before consideration of the following ordinance(s) on first reading, such abstention will also be reflected in the minutes for second reading.

11A ORDINANCE SECOND READING: ORDINANCE AMENDING CHAPTER
 10 OF THE SPECIAL EVENT REIMBURSEMENT AND SPONSORSHIP
 SECTION TO INCLUDE CO-SPONSORSHIPS {STRATEGIC PLAN NO.
 5, 4} (City Manager's Office) - Clerk of the Council Office

Placed on first reading at the July 7, 2015 City Council meeting and approved by a vote of 6-0 (Reyna absent).

Published in The Notice on July 10, 2015.

MOTION: Place ordinance on second reading and adopt.

ORDINANCE NO. NS-2879 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA, CALIFORNIA, AMENDING SECTION 10-22.13 OF CHAPTER 10 REGARDING SPECIAL EVENT REIMBURSEMENT AND SPONSORSHIP

BOARDS / COMMISSIONS / COMMITTEES

- 13A. COUNCIL COMMITTEES – AGENDA AND MINUTES {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

MOTION: Receive and file.

<u>NAME</u>	<u>MEETING DATE</u>
Finance, Economic Development, and Technology	07/22/2015
Parks, Recreation Education and Youth (Cancelled)	07/27/2015
Public Safety & Neighborhood Improvement (Cancelled)	07/28/2015

MISCELLANEOUS ADMINISTRATION

- 19A. CONFIRMATION OF CLOSED SESSION ACTION(S) – City Attorney's Office

MOTION: Approve settlement agreement.

AGMT NO. 2015-181 - CONFERENCE WITH LEGAL COUNSEL -- POTENTIAL LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 of the Government Code: (A White and Yellow Cab, Inc.)

- 19B. EXCUSED ABSENCES - Clerk of the Council

MOTION: Excuse the absence of Mayor Pulido from the August 4, 2015 City Council Meeting.

- 19C. STRATEGIC PLAN MONTHLY REPORT FOR JUNE 2015 {STRATEGIC PLAN NO. 5, 1} - City Manager's Office

MOTION: Receive and file.

- 19D. GRANT PROGRAM UPDATE FOR FISCAL YEAR 2014-15 {STRATEGIC PLAN NO. 4, 3E} - City Manager's Office

MOTION: Receive and file.

- 19E. QUARTERLY REPORT FOR HOUSING DIVISION PROJECTS AND ACTIVITIES APRIL 2015 – JUNE 2015 {STRATEGIC PLAN NO. 5, 3} - Community Development Agency

The Community Redevelopment and Housing Commission approved recommended action on July 8, 2015 by a vote of 4-0 (Sandoval absent).

MOTION: Receive and file.

- 19F. QUARTERLY REPORT OF INVESTMENTS AS OF JUNE 30, 2015 {STRATEGIC PLAN NO. 4, 1} - Finance and Management Services

MOTION: Receive and file.

- 19G. PARK RANGER PROGRAM UPDATE {STRATEGIC PLAN NO. 1, 1} - Police Department

MOTION: Receive and file.

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

MOTION: Initial vote recalled and Agenda Items 20A through 20C continued to the September 1, 2015 City Council Meeting (due to insufficient number of qualified votes to consider matter).

- 20A. APPROPRIATION ADJUSTMENT AND AGREEMENT WITH RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT FOR REIMBURSEMENT OF A LAND CONVERSION EVALUATION CRITERIA STUDY {STRATEGIC PLAN NO. 5, 4A} - Parks, Recreation and Community Services Agency

20B. APPROPRIATION ADJUSTMENT ACCEPTING EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS {STRATEGIC PLAN NO. 1, 3B} - Police Department

20C. INCREASE CONTINGENCY AND APPROPRIATION ADJUSTMENTS FOR GRAND AVENUE ROADWAY AND STORM DRAIN IMPROVEMENTS PROJECT (PROJECT NOS. 081732 and 126604) {STRATEGIC PLAN NOS. 6, 1B, 1C, 1G} - Public Works Agency

MOTION: Benavides

SECOND: Amezcua

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

22A. SPEC. NO. 12-011 - MISCELLANEOUS PLUMBING SUPPLIES {STRATEGIC PLAN NO. 6, 2} - (Parks, Recreation and Community Services Agency; Public Works Agency, and Police Department) - Finance and Management Services

MOTION: Amend contracts by \$35,000 for an annual aggregate amount not to exceed \$125,000 with the following vendors, subject to non-substantive changes approved by the City Manager and City Attorney.

Vendor:
Ferguson Enterprises, Inc.
Irvine Pipe and Supply, Inc.

Location:
Pomona
Santa Ana

22B. SPEC. NO. 15-049 – PURCHASE THREE CHEVROLET SPARK AUTOMOBILES FOR POLICE DEPARTMENT’S DOWNTOWN PARKING ENFORCEMENT {STRATEGIC PLAN NO. 6, 2} - Finance and Management Services

MOTION: Authorize a one-time purchase and payment of purchase order to Guaranty Chevrolet in an amount not to exceed \$50,500 subject to non-substantive changes approved by the City Manager and City Attorney.

22C. SPEC. NO. 15-068 – PURCHASE FORD F-550 AERIAL TRUCK FOR PUBLIC WORKS CONSTRUCTION ENGINEERING {STRATEGIC PLAN NO. 6, 2} (Public Works Agency) - Finance and Management Services

MOTION: Award a contract to Altec Industries, Inc. in an amount not to exceed \$140,512, subject to non-substantive changes approved by the City Manager and City Attorney.

22D. SPEC. NO. 15-050 - AMMUNITION {STRATEGIC PLAN NO.1, 5} (Police Department) - Finance and Management Services

MOTION: Authorize a one-time purchase and payment of purchase order to Dooley Enterprises, Inc. in an amount of \$102,115 and San Diego Police Equipment in an amount of \$96,385 for a total aggregate amount not to exceed \$198,500, subject to non-substantive changes approved by the City Manager and City Attorney.

22E. SPEC. NO. 15-059 - PATROL RIFLES AND ACCESSORIES {STRATEGIC PLAN NO. 1, 5} - (Police Department) - Finance and Management Services

MOTION: Authorize a one-time purchase and payment of purchase order to RifleGear in an amount not to exceed \$145,000, subject to non-substantive changes approved by the City Manager and City Attorney.

22F. SPEC. NO. 15-066 - TASER ELECTRONIC CONTROL DEVICES AND ACCESSORIES {STRATEGIC PLAN NO.1, 5} - (Police Department) - Finance and Management Services

MOTION: Matter continued to the September 1, 2015 City Council meeting, at staff's request.

PROJECTS/CHANGE ORDERS

23A. AWARD CONTRACT FOR CONSTRUCTION OF SANTA ANITA PATIO IMPROVEMENTS (PROJECT 147514) {STRATEGIC PLAN NO. 6, 2B} - Public Works; Parks, Recreation and Community Services; and Community Development Agencies

MOTION:

1. Authorize the City Manager and the Clerk of the Council to execute a contract awarded to Green Giant Landscape, Inc., the lowest responsible bidder, in accordance with the unit bid prices for the base bid of \$98,500 and the additive alternate of \$48,500, totaling \$147,000, for construction of the Santa Anita Patio Improvements, subject to non-substantive changes approved by the City Manager and City Attorney.
2. Approve the Project Cost Analysis for a total estimated project delivery cost of \$183,750.

23B. AWARD CONTRACT FOR CONSTRUCTION OF PORTOLA PARK IMPROVEMENTS (PROJECT 132638) {STRATEGIC PLAN NO. 6, 1C} - Public Works and Parks, Recreation and Community Services Agencies

MOTION:

1. Authorize the City Manager and the Clerk of the Council to execute a contract awarded to Ben's Asphalt, the lowest responsible bidder, in accordance with the unit bid prices, totaling \$187,146, for construction of the Portola Park Improvements Project, subject to non-substantive changes approved by the City Manager and the City Attorney.
2. Approve the Project Cost Analysis for a total estimated project delivery cost of \$254,123.

AGREEMENTS

25A. ARTS AND CULTURE ARTIST GRANT PROGRAM FISCAL YEAR 2015-2016 {STRATEGIC PLAN NO. 5, 5B} – Community Development Agency

MOTION:

1. Approve the Arts and Culture recommendations for fiscal year 2015-2016 Investing in the Artist Grant Opportunity in the amount of \$80,000;

Applicant	Project	Amount Requested	Amount Approved	Exp. Date
• AGMT NO. 2015-132 A Downtown Inc.	Hire live local artists to help increase free Artwalk activities	\$10,000	\$10,000	08/03/2016
• AGMT NO. 2015-133 -	Host a mobile series of free art,	\$5,000	\$5,000	08/03/2016

Applicant	Project	Amount Requested	Amount Approved	Exp. Date
Nancy Alcala	ceramic & craft workshops for children and adults in underprivileged neighborhoods throughout the city			
• AGMT NO. 2015-134 - Maria Reyna*	Free arts & crafts for children and adults at Artwalk for a period of two years	\$5,000	\$5,000	08/03/2017
• AGMT NO. 2015-135 - Albert Lopez, Jr.	Free solo exhibit of a series of oil paintings at location in Santa Ana	\$5,000	\$5,000	08/03/2016
• AGMT NO. 2015-136- Pacific Symphony	Santa Ana Strings Program: Provide music training to Santa Ana children at the Boys & Girls Club	\$10,000	\$10,000	08/03/2016
• AGMT NO. 2015-137 - Joseph Hawa**	Free series of live painting demonstrations at ArtBrunch. Free collective exhibit at ArtWalk.	\$10,000	\$5,000	08/03/2016
• AGMT NO. 2015-138 - Sarah Guerrero	Free playwriting & theatre-making workshops for children and adults throughout the city.	\$5,000	\$5,000	08/03/2016
• AGMT NO. 2015-139 - Orange County Children's Therapeutic Arts Center	Host three music related film viewings for children and adults at Frida Cinema	\$10,000	\$10,000	08/03/2016
• AGMT NO. 2015-140 - Alicia Rojas	Mural in Downtown Santa Ana located	\$10,000	\$10,000	08/03/2016

Applicant	Project	Amount Requested	Amount Approved	Exp. Date
	between N. Main St. & N. Bush St. behind 4 th St. created through a community survey process to form the foundation of the mural concept			
• AGMT NO. 2015-141 - Orange County Center for Contemporary Art	Free solo exhibit of artist George Herms & jazz musical performance at OCCA	\$5,000	\$5,000	08/03/2016
• AGMT NO. 2015-142 - Carlos Kalim Quevedo-Prastein	Host a series of free art workshops and exhibitions for children and adults at a location in Santa Ana.	\$10,000	\$10,000	08/03/2016

2. Approve staff's recommendation for fiscal year 2015-2016 Investing in the Artist Grant Opportunity to add one additional project in the amount of \$5,000;

Applicant	Project	Amount Requested	Amount Approved	Exp. Date
• AGMT NO. 2015-143 - The Wooden Floor for Youth Movement	Dance Free Weeks: Free dance program that serves low-income children throughout the city.	\$5,000	\$5,000	08/03/2016

3. Direct the City Attorney to prepare and authorize the City Manager and the Clerk of the Council to execute agreements with artists and art organizations awarded funds as part of the approved program, subject to non-substantive changes approved by the City Manager and City Attorney.

MOTION: Benavides

SECOND: Reyna

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Martinez, Pulido, Tinajero (3)

25B. AGMT NOS. 2015-144 AND 2015-145 - SECOND AMENDMENT TO BUSINESS IMPROVEMENT DISTRICT (BID) OPERATING AGREEMENTS {STRATEGIC PLAN NO. 3,4} – Community Development Agency

MOTION: Authorize the City Manager and the Clerk of the Council to execute the Second Amendment to the operating agreements with Downtown Inc. and the Santa Ana Business Council Inc., to increase the revolving fund account to a total amount of \$40,000 for each entity, subject to non-substantive changes approved by the City Manager and City Attorney.

25C. AGMT NO. 2015-146 - PROFESSIONAL ENGINEERING SERVICES FOR THE BRIDGE PREVENTATIVE MAINTENANCE PROGRAM (PROJECT 15-6847) {STRATEGIC PLAN NO. 6, 1G} – Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with TTG Engineers, subject to non-substantive changes approved by the City Manager and City Attorney, to provide engineering services for a one-year period expiring August 3, 2016, with provision for a one-year extension exercisable by the City Manager, for a total amount not to exceed \$23,900.

25D. AGMT NO. 2015-147 - COOPERATIVE AGREEMENT WITH ORANGE COUNTY TRANSPORTATION AUTHORITY TO COMPLETE CLOSEOUT OF THE AT-GRADE RAILROAD SAFETY ENHANCEMENT PROJECT (NON-GENERAL FUND) {STRATEGIC PLAN NO. 6, 1G} – Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute Cooperative Agreement Number C-5-3312 in the amount of \$206,208.53 with the Orange County Transportation Authority for completion and closeout of the At-Grade Railroad Safety

Enhancement Project, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25E. AGMT NO. 2015-148 - ENTERTAINMENT SERVICES FOR FIESTAS SANTA ANA {STRATEGIC PLAN NO. 5, 5C} – Parks, Recreation and Community Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Bobby Nava Advertising and Entertainment Agency for advertising and entertainment services for Fiestas Santa Ana in the amount of \$44,000, for a term to end on September 30, 2015, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25F. AGMT NO. 2015-149 - LICENSE AGREEMENT AMENDMENT WITH ORANGE COUNTY TRANSPORTATION AUTHORITY FOR PROPERTY ADJACENT TO SANTIAGO PARK WATER RESERVOIR {STRATEGIC PLAN NO. 6, 1C} – Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an amendment to a license agreement with Orange County Transportation Authority for 11,000 square feet of property adjacent to Santiago Park Water Reservoir for \$796 plus a CPI increase each year for a one-year term with automatic renewals until terminated, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25G. AGMT NO. 2015-150 - MEMORANDUM OF UNDERSTANDING WITH THE CONFIDENTIAL ASSOCIATION OF SANTA ANA {STRATEGIC PLAN NO. 7, 6} – Personnel Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute a Memorandum of Understanding with the Confidential Association of Santa Ana, subject to non-substantive changes approved by the City Manager and City Attorney, regarding wages and other terms and conditions of employment for a two-year period beginning on July 1, 2015 and ending June 30, 2017.

- 25H. AGMT NO. 2015-151 - MEMORANDUM OF UNDERSTANDING WITH THE SANTA ANA MANAGEMENT ASSOCIATION {STRATEGIC PLAN NO. 7, 6} – Personnel Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute a Memorandum of Understanding with the Santa Ana

Management Association, subject to non-substantive changes approved by the City Manager and City Attorney, regarding wages and other terms and conditions of employment for a two-year period from July 1, 2015 to June 30, 2017.

- 25I. AGMT NO. 2015-152 - MEMORANDUM OF UNDERSTANDING WITH THE POLICE MANAGEMENT ASSOCIATION {STRATEGIC PLAN NO. 7, 6} – Personnel Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute a Memorandum of Understanding with the Police Management Association, subject to non-substantive changes approved by the City Manager and City Attorney, regarding wages and other terms and conditions of employment for a two-year period ending June 30, 2017.

- 25J. AGMT NO. 2015-153 - MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION, PART-TIME CIVIL SERVICE UNIT {STRATEGIC PLAN NO. 7, 6} – Personnel Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute a Memorandum of Understanding with the Service Employees International Union representing the Part-Time Civil Service Unit, subject to non-substantive changes approved by the City Manager and City Attorney, regarding wages and other terms and conditions of employment for a two-year period from July 1, 2015 to June 30, 2017.

- 25K. AGMT NO. 2015-154 - GRANT PROJECT AND FISCAL COORDINATOR SERVICES {STRATEGIC PLAN NO. 1, 3B} – Police Department

MOTION: Authorize the City Manager and the Clerk of the Council to execute a three-year professional services agreement for on-site project and fiscal grant management services with Willdan Homeland Solutions, for the period of September 1, 2015 through August 30, 2018, in an amount not to exceed \$405,000, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25L. ON-CALL RIGHT-OF-WAY SPECIALTY SERVICES (NON-GENERAL FUND) {STRATEGIC PLAN NO. 6, 1G} – Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute eleven on-call right-of-way specialty service agreements with the firms listed below to perform the activities listed, subject to non-substantive changes approved by the City Manager and City Attorney, each for three-year terms expiring August 4, 2018, with provisions for one, two-year renewal option exercisable by the City Manager and City Attorney, for a total not-to-exceed amount listed for each firm over the entire life of the agreement, including any renewal period:

Service / Firm	Amount
(A) Real Property Appraisal Services	
1. AGMT NO. 2015-155 - Kiley Company	\$200,000
2. AGMT NO. 2015-156 - Lidgard & Associates	\$200,000
(B) Furniture, Fixtures, and Equipment (FF&E) Appraisal Services	
3. AGMT NO. 2015-157 - DMA	\$200,000
4. AGMT NO. 2015-158 - Hjelmstrom & Associates	\$200,000
(C) Business Goodwill Appraisal Services	
5. AGMT NO. 2015-159 - Donna Desmond Associates	\$200,000
6. AGMT NO. 2015-160 - DMA	\$200,000
(D) Acquisition and Relocation Services	
7. AGMT NO. 2015-161 - Epic Land Solutions	\$300,000
8. AGMT NO. 2015-162 - Overland, Pacific & Cutler	\$300,000
(E) Right-of-Way Program Management Services	
9. AGMT NO. 2015-163 - CivilSource	\$200,000
(F) Right-of-Way Property Management Services	
10. AGMT NO. 2015-164 - Paragon Partners	\$200,000
11. AGMT NO. 2015-165 - Overland, Pacific & Cutler	\$200,000

25M. ON-CALL ENGINEERING SERVICES (NON-GENERAL FUND)
 {STRATEGIC PLAN NO. 6,1G} – Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute ten on-call engineering services agreements with the firms listed below, subject to non-substantive changes approved by the City Manager and City Attorney, each for two-year terms expiring August 4, 2017, with provisions for up to two, one-year renewal options exercisable by the City Manager and City Attorney, for a total not-to-exceed amount of \$250,000 for each firm over the entire life of the agreement, including any renewal period:

- AGMT NO. 2015-166 - Harris & Associates
- AGMT NO. 2015-167 - Psomas
- AGMT NO. 2015-168 - Willdan

- AGMT NO. 2015-169 – AECOM
- AGMT NO. 2015-170 - Michael Baker (RBF)
- AGMT NO. 2015-171 - Kimley-Horn
- AGMT NO. 2015-172 - Stantec Consulting Services
- AGMT NO. 2015-173 - Mark Thomas & Company
- AGMT NO. 2015-174 - VA Consulting
- AGMT NO. 2015-175 - KPFF

The total aggregate for all ten agreements shall not exceed \$2,500,000 over the length of the agreements and is anticipated to be utilized based on the City's approved Capital Improvement Program budgets.

- 25N. AGMT NO. 2015-176 - FEASIBILITY STUDY AND ACQUISITION SUPPORT TO PURCHASE THE STREET LIGHT SYSTEM FROM SOUTHERN CALIFORNIA EDISON (RFP NO. 15053) {STRATEGIC PLAN NO. 6, 1C} – Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Tanko Lighting, Inc., the lowest responsible bidder, subject to non-substantive changes approved by the City Manager and City Attorney, to conduct a feasibility study and provide acquisition support to purchase the Citywide street light system from Southern California Edison, for a two-year term expiring on August 4, 2017, with a provision for one, one-year extension exercisable by written authorization of the City Manager and City Attorney, for a maximum term of three years, in a total amount not to exceed \$267,313.

LAND USE MATTERS

CONDITIONAL USE PERMIT/VARIANCES

- 31A. CONDITIONAL USE PERMIT NO. 2015-14 TO ALLOW A 50-FOOT HIGH WIRELESS FACILITY FOR VERIZON AT 3420 SOUTH BRISTOL STREET - VINCULUMS SERVICES INC., APPLICANT {STRATEGIC PLAN NO. 3, 2} – Planning and Building Agency

Planning Commission approved recommended action on July 13, 2015, by a vote of 7-0.

MOTION: Receive and file.

- 31B. VARIANCE NO. 2015-05 TO ALLOW ADDITIONAL WALL SIGNS ON THE PRIMARY ELEVATION FOR SMART & FINAL LOCATED AT 1308 WEST EDINGER AVENUE - NEIL McNAUGHT, APPLICANT {STRATEGIC PLAN NO. 3, 2} – Planning and Building Agency

Planning Commission approved recommended action on July 13, 2015, by a vote of 7-0.

MOTION: Receive and file.

TENTATIVE PARCEL/TRACT MAPS

- 32A. TENTATIVE TRACT MAP NO. 2015-02 (COUNTY MAP NO. 17636) AND INCLUSIONARY HOUSING AGREEMENT TO ALLOW A SUBDIVISION FOR 79 CONDOMINIUM UNITS AT 1010 SOUTH HARBOR BOULEVARD - SANTA ANA 5, LLC, APPLICANT {STRATEGIC PLAN NOS. 3, 2; 3, 5; 5, 3; 5, 4} – Planning and Building Agency

Planning Commission approved recommended action on July 13, 2015 by a vote of 7-0.

MOTION:

- 1. Receive and file the staff report approving Tentative Tract Map No. 2015-02 (County Map No. 17636) as conditioned.**
- 2. AGMT NO. 2015-177 - Authorize the City Manager and Clerk of the Council to execute an Inclusionary Housing Agreement with Santa Ana 5, LLC.**

- 32B. VESTING TENTATIVE TRACT MAP NO. 2015-01 (COUNTY MAP NO. 17786) AND INCLUSIONARY HOUSING AGREEMENT TO ALLOW A SUBDIVISION FOR INDIVIDUAL LOTS AT 520 SOUTH HARBOR BOULEVARD – TODD COTTLE, APPLICANT {STRATEGIC PLAN NOS. 3, 2; 3, 5; 5, 3; 5, 4} – Planning and Building Agency

Planning Commission approved recommended action on June 22, 2015 by a vote of 6-0 (Mill absent).

MOTION:

- 1. Receive and file the staff report approving Vesting Tentative Tract Map No. 2015-01 as conditioned.**
- 2. AGMT NO. 2015-178 - Authorize the City Manager and Clerk of the Council to execute an Inclusionary Housing Agreement with 520**

South Harbor, LLC for the payment of an in-lieu fee for a residential development.

- 32C. TENTATIVE PARCEL MAP NO. 2015-01 AND SPECIAL USE PERMIT NO. 2015-01 TO SUBDIVIDE AN EXISTING COMMERCIAL COMPLEX INTO EIGHT AIR-RIGHT CONDOMINIUM UNITS AT 1540 EAST WARNER AVENUE - PETER CHENG, APPLICANT {STRATEGIC PLAN NO. 3, 2} – Planning and Building Agency

Planning Commission approved recommended action on June 22, 2015 by a vote of 6-0 (Mill absent).

MOTION: Receive and file

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

BUSINESS CALENDAR ITEMS

ORDINANCES/FIRST READING

- 50A. ORDINANCE AMENDING SECTION 1-8 OF THE SANTA ANA MUNICIPAL CODE RELATING TO MUNICIPAL CODE VIOLATIONS AND GENERAL PENALTIES {STRATEGIC PLAN NO. 1, 1} – City Attorney's Office

MOTION: Place ordinance on first reading and authorize publication of title.

ORDINANCE NO. NS-2882 - AN ORDINANCE OF THE CITY OF SANTA ANA AMENDING CHAPTER 1, SECTION 1-8 OF THE SANTA ANA MUNICIPAL CODE RELATING TO VIOLATIONS AND GENERAL PENALTIES

MOTION: Benavides

SECOND: Amezcua

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

RESOLUTIONS

55A. HISTORIC PROPERTY PRESERVATION AGREEMENT FEE REDUCTION AND PRIVATE PARTY NOMINATION TO SANTA ANA REGISTER OF HISTORICAL PROPERTIES FEE WAIVER {STRATEGIC PLAN NOS. 5, 2; 5, 3 – Planning & Building Agency

MOTION: Adopt a resolution.

RESOLUTION NO. 2015-039 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE EXTENSION OF A WAIVER OF THE APPLICATION FEE FOR THE PRIVATE PARTY NOMINATIONS OF PROPERTIES TO THE SANTA ANA REGISTER OF HISTORICAL PROPERTIES AND MODIFICATION OF MILLS ACT AGREEMENT FEES

MOTION: Benavides **SECOND:** Amezcua

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

55B. ADOPT A GOVERNMENT TORT CLAIMS PROCEDURE AND AUTHORIZE CITY STAFF TO SETTLE LIABILITY CLAIMS AND PENDING ACTIONS THAT DO NOT EXCEED \$25,000 {STRATEGIC PLAN NO. 4}{STRATEGIC PLAN NO. 4} – Personnel Services Agency

MOTION: Adopt resolutions.

RESOLUTION NO. 2015-040 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING A GOVERNMENT TORT CLAIMS PROCEDURE;

RESOLUTION NO. 2015-041 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING CITY STAFF TO SETTLE CLAIMS OR PENDING ACTIONS AGAINST THE CITY THAT DO NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000), INCLUDING WORKERS' COMPENSATION CLAIMS AND REPEALING RESOLUTION 81-203 AND RESOLUTION 89-093.

MOTION: Benavides **SECOND:** Amezcua

VOTE: **AYES:** Amezcuca, Benavides, Reyna, Sarmiento (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Martinez, Tinajero, Pulido (3)

55C. ESTABLISH A CITY COUNCIL SPECIAL EVENT SPONSORSHIP POLICY AND GUIDELINES FOR DISBURSEMENT OF DISCRETIONARY FUNDS {STRATEGIC PLAN NO. 5, 4} – City Manager’s Office

MOTION: Adopt a resolution.

RESOLUTION NO. 2015-042 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ESTABLISHING A CITY SPECIAL EVENT SPONSORSHIP POLICY AND GUIDELINES FOR DISBURSEMENT OF DISCRETIONARY FUNDS

MOTION: Benavides **SECOND:** Amezcuca

VOTE: **AYES:** Amezcuca, Benavides, Reyna, Sarmiento (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Martinez, Tinajero, Pulido (3)

55D. AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT AGREEMENTS REQUIRED BY ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 00289S (NON-GENERAL FUND) {STRATEGIC PLAN NO. 6, 1G} – Public Works Agency

MOTION:

1. Adopt a resolution.

RESOLUTION NO. 2015-043 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE EXECUTIVE DIRECTOR OF THE PUBLIC WORKS AGENCY TO EXECUTE ALL PROGRAM SUPPLEMENT AGREEMENTS REQUIRED BY ADMINISTERING AGENCY-STATE MASTER AGREEMENT FOR STATE FUNDED PROJECTS BETWEEN THE

CITY OF SANTA ANA AND THE STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

- 2. AGMT NO. 2015-179 - Authorize the City Manager and Clerk of the Council to execute an agreement with California Department of Transportation subject to non-substantive changes approved by the City Manager and City Attorney.**

MOTION: Amezcua **SECOND:** Benavides

VOTE: **AYES:** Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

- 55E. CONSENTING TO THE INCLUSION OF SANTA ANA PROPERTIES IN THE YGRENE WORKS FINANCING PROGRAMS {STRATEGIC PLAN NOS. 5, 2; 3, 5} – Public Works Agency

MOTION:

- 1. Adopt resolutions.**

RESOLUTION NO. 2015-044 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY’S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

RESOLUTION NO. 2015-045 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY’S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

2. **AGMT NO. 2015-180 - Approve Associate Membership in the California Home Finance Joint Exercise of Powers of Authority and authorize the appropriate City officials to execute any necessary documents to effectuate such membership to assist property owners within the incorporated area of the City in financing the cost of installing authorized improvements.**

MOTION: Benavides **SECOND:** Amezcua

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

55F. **RESOLUTION, APPROPRIATION ADJUSTMENT, AND SUBGRANT AGREEMENT ACCEPTING FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT TITLE I FUNDS FOR PROGRAM YEAR 2015-2016 {STRATEGIC PLAN NO 2, 4} - Community Development Agency**

MOTION: Matter continued to the September 1, 2015 City Council Meeting (due to insufficient number of qualified votes to consider matter).

MOTION: Sarmiento **SECOND:** Reyna

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

REPORTS

65A. **PROPOSED CITY COUNCIL RETREAT AGENDA FOR AUGUST 18, 2015 {STRATEGIC PLAN NO. 1-7}- City Manager's Office**

MOTION: Review the proposed City Council Retreat agenda for August 18, 2015 and direct staff to modify as desired.

MOTION: Benavides **SECOND:** Sarmiento

VOTE: **AYES:** Amezcua, Benavides, Reyna, Sarmiento (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Martinez, Tinajero, Pulido (3)

PUBLIC HEARINGS

75A. AGENDA ITEM TAKEN OUT OF ORDER

75B. AGENDA ITEM TAKEN OUT OF ORDER

75C. ORDINANCE ADOPTING EXPEDITED SOLAR PERMITTING PROCEDURES FOR SMALL RESIDENTIAL SOLAR ENERGY SYSTEMS {STRATEGIC PLAN NO. 3, 3; 5, 2}- Planning & Building Agency

Legal notice published in The Notice (LASOC) on July 24, 2015.

MOTION: Matter continued to the September 1, 2015 City Council Meeting, at the request of the City Council.

MOTION: Sarmiento **SECOND:** Amezcua

VOTE: **AYES:** Amezcua, Benavides, Reyna, Sarmiento (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Martinez, Tinajero, Pulido (3)

75D. RESOLUTION SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS AS IT RELATES TO THE CALIFORNIA BUILDING CODE AND ORDINANCE MODIFYING DEFINITION OF HIGH-RISE STRUCTURE/BUILDING - AMENDING CHAPTERS 8 AND 14 {STRATEGIC PLAN NO. 3, 3C} - Planning & Building Agency

Legal notice published in The Notice (LASOC) on July 24, 2015.

Staff report presented by Executive Director of Planning and Building Haghani

Mayor Pro Tem Sarmiento opened the hearing. There were no speakers and the Hearing closed.

Councilmember Benavides, asked how matter had come about.

Executive Director, Haghani, noted that it was a clean-up effort in collaboration with the Orange County Fire Authority.

MOTION:

1. Adopt a resolution.

RESOLUTION NO. 2015-046 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY OF SANTA ANA WHICH JUSTIFY CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING CODE AS AMENDED BY THE STATE OF CALIFORNIA

2. Place ordinance on first reading and authorize publication of title.

ORDINANCE NO. NS-2883 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTERS 8 AND 14 OF THE SANTA ANA MUNICIPAL CODE REGARDING THE DEFINITION OF A HIGH-RISE STRUCTURE/BUILDING

MOTION: Benavides

SECOND: Reyna

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

75E. RESOLUTION TO ADOPT PENALTIES FOR NONCOMPLIANCE WITH WATER CONSERVATION TARGETS DURING PHASE 2 WATER SHORTAGE PERIOD {STRATEGIC PLAN NOS. 6, 1H; 5, 2; 5, 6F – Public Works Agency

Legal notice published in The Notice (LASOC) on July 24, 2015.

Staff report presented by Nabil Saba.

Mayor Pro Tem Sarmiento opened the hearing. There were no speakers and the Hearing closed.

Councilmember Reyna shared with the community that water conservation targets have been met; thanked the community for efforts.

MOTION: Adopt a resolution

RESOLUTION NO. 2015-047 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING PENALTIES FOR NONCOMPLIANCE WITH WATER CONSERVATION TARGETS DURING PHASE 2 WATER SHORTAGE PERIOD

MOTION: Reyna **SECOND:** Amezcua

VOTE: AYES: Amezcua, Benavides, Reyna, Sarmiento (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Tinajero, Pulido (3)

CITY COUNCIL RECESSED AT 9:35 P.M. TO THE HOUSING AUTHORITY MEETING AND RECONVENED AT 9:36 P.M. WITH SAME MEMBERS PRESENT.

COMMENTS

PUBLIC COMMENTS

- Michael Klubokin, commented that Mr. Tseglin lost his son to conservatorship process; concerned with corruption at the County of Orange.
- Ilya Tseglin, requested assistance in visiting his son who is at the hospital.
- Madeline Spencer, commented on clean and safe funding and asked if there was duplication since the Downtown Inc and Santa Ana Business Council is receiving funds through Strategic Plan.

90A. CITY MANAGER'S COMMENTS

- Water reduction targets met;
- 5k run scheduled for August 29, 2015; and
- Traffic safety event held at Jerome Park; thanked Police Department for efforts.

90B. CITY COUNCILMEMBER COMMENTS

Councilmember Amezcua:

- Thanked Executive Director of Planning and Building Agency Haghani for initiative to bring Housing Opportunity Ordinance and innovation; and
- Thanked businesses and residents for meeting water target and staff for implementation policy.

Councilmember Reyna:

- Asked all to continue to conserve water;
- Noted that 80 students will participate in upcoming Catalina field trip;
- Invited all to participate in 5K event;
- Reported that Regency Theater offers throwback movies on Wednesdays;
- Encouraged all to shop in Santa Ana; and
- Commented that school almost back in session; on-line tutoring offered at Lend a Hand.

Councilmember Benavides:

- Commented on National Night Out;
- Commented on Housing Opportunity Ordinance – commitment by the City to offer market rate housing and invest in areas of need;
- Support our local economy – shop Santa Ana; and
- Adjourn in memory of Gil Marrero who devoted so much in the downtown; grateful for his many contributions.

Mayor Pro Tem Sarmiento:

- Reflected on 25th anniversary of ADA supreme court ruling – intended to prohibit discrimination to those with disabilities; support equity; thanked advocates;
- Congratulated Bolivian community on upcoming Independence Day; and
- Adjourn in memory of Gil Marrero and Oldrich Unger.

ADJOURNED - 9:59 p.m. – The next meeting of the City Council is scheduled for Tuesday, August 18, 2015 at 5:00 p.m. in the Police Community Room, 60 Civic Center Plaza, Santa Ana, California.

**Adjourn in Memory of
Gilbert P. “Gil” Marrero
and
Oldrich Unger**


Maria Huizar,
Clerk of the Council

FUTURE AGENDA ITEMS

- Mater Dei High School Parking Structure and School Expansion Project
- Community Engagement Plan
- Conflict and Interest Code Review

1. Authorize the City Manager and the Clerk of the Council to execute a contract awarded to Green Giant Landscape, Inc., the lowest responsible bidder, in accordance with the unit bid prices for the base bid of \$98,500 and the additive alternate of \$48,500, totaling \$147,000, for construction of the Santa Anita Patio Improvements, subject to non-substantive changes approved by the City Manager and City Attorney.
2. Approve the Project Cost Analysis for a total estimated project delivery cost of \$183,750.

23B. AWARD CONTRACT FOR CONSTRUCTION OF PORTOLA PARK IMPROVEMENTS (PROJECT 132638) {STRATEGIC PLAN NO. 6, 1C} - Public Works and Parks, Recreation and Community Services Agencies

MOTION:

1. Authorize the City Manager and the Clerk of the Council to execute a contract awarded to Ben's Asphalt, the lowest responsible bidder, in accordance with the unit bid prices, totaling \$187,146, for construction of the Portola Park Improvements Project, subject to non-substantive changes approved by the City Manager and the City Attorney.
2. Approve the Project Cost Analysis for a total estimated project delivery cost of \$254,123.

AGREEMENTS

25A. ARTS AND CULTURE ARTIST GRANT PROGRAM FISCAL YEAR 2015-2016 {STRATEGIC PLAN NO. 5, 5B} – Community Development Agency

MOTION:

1. Approve the Arts and Culture recommendations for fiscal year 2015-2016 Investing in the Artist Grant Opportunity in the amount of \$80,000;

Applicant	Project	Amount Requested	Amount Approved	Exp. Date
• AGMT NO. 2015-132 A Downtown Inc.	Hire live local artists to help increase free Artwalk activities	\$10,000	\$10,000	08/03/2016
• AGMT NO. 2015-133 -	Host a mobile series of free art,	\$5,000	\$5,000	08/03/2016