

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

AUGUST 5, 2014

SPECIAL CLOSED SESSION MEETING

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CA
4:55 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
MIGUEL A. PULIDO, Mayor
SAL TINAJERO, Mayor Pro Tem (4:59 p.m.)
ANGELICA AMEZCUA
P. DAVID BENAVIDES
MICHELE MARTINEZ
VINCENT F. SARMIENTO

COUNCILMEMBERS Absent:
ROMAN A. REYNA

STAFF Present:
DAVID CAVAZOS, City Manager
SONIA R. CARVALHO, City Attorney
MARIA D. HUIZAR, Clerk of the Council

PUBLIC COMMENTS – None

COUNCIL RECESSED to Room 147 for Closed Session discussion at 4:58 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--EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:

JOINT ITEM – City of Santa Ana, Successor Agency and Housing Authority: Peebler vs. State of California Superior Court Case No. 34-2012-80001172; Court of Appeal Case No. C073698

JOINT ITEM – City of Santa Ana, Successor Agency and Housing Authority: Cuenca vs. State

JOINT ITEM – City of Santa Ana, Successor Agency and Housing Authority: City of Santa Ana vs. Ana Matosantos (DOF) Case No. 34-2013-80001477

2. **PUBLIC EMPLOYEE – ANNUAL EVALUATION OF PERFORMANCE** pursuant to Section 54957(b)(1) of the Government Code:

Title: City Manager

CLOSED SESSION REPORT – See Item 19A. for any reportable actions.

ADJOURNED THE CLOSED SESSION MEETING AT 6:20 P.M. AND CONVENE TO THE REGULAR OPEN MEETING

REGULAR OPEN MEETING

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CA
6:20 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
MIGUEL A. PULIDO, Mayor
ANGELICA AMEZCUA
P. DAVID BENAVIDES
MICHELE MARTINEZ
VINCENT F. SARMIENTO

COUNCILMEMBERS Absent:
SAL TINAJERO, Mayor Pro Tem
ROMAN A. REYNA

STAFF Present:
DAVID CAVAZOS, City Manager
SONIA R. CARVALHO, City Attorney
MARIA D. HUIZAR, Clerk of the Council

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

INVOCATION

TOM JONES, POLICE CHAPLAIN

PRESENTATIONS

- **PROCLAMATION** presented by **MAYOR PULIDO** to Congresswoman Loretta Sanchez for her exemplary service to the citizens of Santa Ana.
- **PROCLAMATION** presented by **COUNCILMEMBER SARMIENTO** to Bolivian Consul General Marco Antonio Valverde Carrasco in recognition of Bolivian Independence Day.
- **PROCLAMATION AND CERTIFICATES OF RECOGNITION** presented by **MAYOR PULIDO** to the Founders of the Santa Ana Artists Village.
- **CERTIFICATES OF RECOGNITION** presented by **COUNCILMEMBER MARTINEZ** to the following students who competed in the USA National Karate Federation National Competition in July. Students were instructed by Sensei Peter Mangosing, Sensei Jose Lopez and Sensei Clelia Mouser.

Ana Diaz
Pamela Diaz
Jacob Escamilla

Alexia Lopez
Luis Morales
Manuel Resindez

Emily Sandoval
Moses Sandoval
Tony Sandoval

Councilmember Sarmiento left the meeting at 7:08 p.m. and did not return.

CITY COUNCIL RECESSED AT 7:09 P.M. TO THE SANTA ANA FINANCING AUTHORITY FOLLOWED BY THE HOUSING AUTHORITY MEETING AND RECONVENED AT 7:10 P. M. WITH SAME MEMBERS PRESENT.

AGENDA ITEMS TAKEN OUT OF ORDER

20A. APPROPRIATION ADJUSTMENT - MEDICAL MARIJUANA ENFORCEMENT PLAN {STRATEGIC PLAN NO. 1F} - Police Department

WS. MEDICAL MARIJUANA DISPENSARY ENFORCEMENT PLAN - Planning and Building Agency

***MOTION:* Continue consideration of Agenda Items 20A and Work Study Session to the September 2, 2014 City Council meeting.**

MOTION: Amezcua **SECOND:** Martinez

VOTE: AYES: Amezcua, Benavides, Pulido, Martinez (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Reyna, Sarmiento, Tinajero (3)

50A. EMERGENCY ORDINANCE ADOPTING A 45-DAY MORATORIUM FOR THE ESTABLISHMENT OF RECYCLING FACILITIES - {STRATEGIC PLAN NO. 4, 5} Planning and Building Agency

***MOTION:* Continue consideration of matter for 30 days, to the September 2, 2014 City Council meeting, due to lack of eligible members able to consider matter.**

MOTION: Martinez

SECOND: Amezcua

VOTE: AYES: Amezcua, Benavides, Pulido, Martinez (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Reyna, Sarmiento, Tinajero (3)

***Matter subsequently tabled indefinitely at the request of staff on August 6, 2014.**

RESOLUTION

55C. RESOLUTION - IDENTIFYING OF A LOCALLY PREFERRED ALTERNATIVE FOR THE SANTA ANA-GARDEN GROVE FIXED GUIDEWAY PROJECT {**STRATEGIC PLAN NO. 3, 2C, 4B, 6G**} - City Manager's Office

The following speakers addressed the City Council:

- Robin Cook, opined that 5th Street would be better alternative.
- Sam Romero, concerned that Fixed Guideway on 4th Street will displace City events such as Fiestas Patrias and Day of the Dead; continue the Latino influence.
- Cynthia Perez, need for community outreach and transparency in the process; opposed to gang injunctions, cultural events would be dislocated if 4th street selected.
- Kathy Tran, opined that Harbor Blvd. Corridor Plan will have harmful effects to environment and destruction of homes and quality of life.
- Madeleine Spencer, commented on inequities of various City projects; mitigation and outreach needed.
- David Villanueva, spoke of estimated cost to the residents in addition to cost to other government agencies; questioned need for project.
- Manuel Guerrero, concerned with lack of outreach and oversight of proposed project.
- Laura Perez, resident of Santa Anita neighborhood, concerned with lack of notification received on Harbor Blvd. improvement project.
- Alan Lawson, spoke on behalf of Santa Ana Historical Preservation Society, supports alternative 1.
- Gilad Salmon, concerned with use of Pacific Electric Right of Way for project and expect low ridership; if approved, consider 5th Street route since 4th Street used for City events and heavier use and impacts to businesses while transit being built.

- Ryan Chase, spoke in support of project; will create additional investment and opportunity to showcase the Downtown; make area more pedestrian and bike friendly.
- Jeffrey Hall, representing Downtown Santa Ana Restaurant Association; supports project.
- Mike Weisman, partner at DGWD Advertising firm; spoke in support of project.
- Jon Gothold, also spoke in support of project; convenient for all to visit Downtown Santa Ana.
- Ernesto Medrano, representing Teamsters Local 952, spoke in support of proposed project.
- Adolfo Lopez, spoke in support of street car system.
- Sean Coolidge, invited all to attend weekly Farmer's Market on Thursdays from 5-8 p.m.; supports public transportation and Fixed-Guideway project.
- Peter Katz, noted that City had done public outreach, advertising and sufficient notices; opined that public transportation successful in large cities throughout the world, serve to connect communities.
- Darren Shippen, supports rail project; will revitalize the area, walkability and experience the City; invited all to attend Gay Pride Festivities on August 9th.
- Dave Hoen, noted that City use to have a rail system, but razed many years ago; public transportation alternative needed; did not have opinion on location.
- Manuel Vega, good idea to have rail system.
- Ana Urzua, commented that agenda report was thorough and good outreach effort as required by the Sunshine ordinance; noted that difficulty of project require all to be open and receptive; unintended consequences; cost of living increases; comprehensive approach and not displace residents; Building Healthy Communities.
- Desi Reyes, spoke in support of Alternative #2; the Street to revitalize the area and increase use of stadium and jurors; good investment in the long run, although more expensive.
- Tina Hinagorani, representing General Services Administration of the Federal Government, supports preferred alternative is #1 because of security standpoint.

City Manager Cavazos presented staff report.

The City of Santa Ana is the *highest* density city in the nation without a fixed guideway system. Based on 2010 Census Data

THE FIXED GUIDEWAY CORRIDOR WILL:

- Relieve congestion
- Connect Santa Ana to the Region
- Create enhanced access and opportunity for all
- Stimulate economic development

STRATEGIC PLAN ALIGNMENT

- Goal 6: Community Facilities & Infrastructure
 - Objective 1: Establish & maintain a Community Investment Plan for all City assets
- Goal 3: Economic Development
 - Objective 2, Strategy C: Support business development and job growth along transit corridors through the completion of critical transit plans/projects
- Goal 3: Economic Development
 - Objective 4: Continue to pursue objectives that shape downtown Santa Ana into a thriving, culturally diverse, shopping, dining and entertainment destination

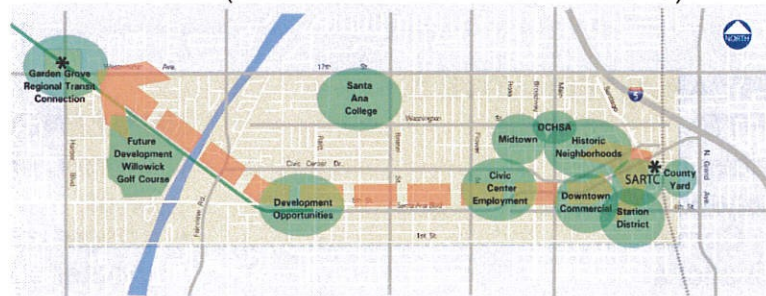
PROCESS

- 2006 - Measure M- Local sales tax for transportation
- 2007 - Go Local Feasibility Study
- 2009 - Began Alternatives Analysis/Environmental Review of Impacts
- 2012 - Alternatives identified for further study (Streetcar 1, Streetcar 2, Transportation System Management)

STUDY AREA (INCLUDED A PUBLIC PROCESS)

- Santa Ana Council Transportation Committee provided guidance on the Transit Vision (Throughout 2007: May, July, Aug., Sept. and Nov.)
- Study Session at City Council Meeting (Oct. 2007)
- Garden Grove City Council approved partnership with City (Jan. 2008)
- Santa Ana City Council approved "Go Local Project Concept Step 1 Final Report" (March 2008)
- OCTA Board approved the "Go Local Step 1 Screening Results and Step 2 Recommendations" (May 2008)

STUDY AREA (FINALIZED IN JANUARY 2010)



- Boundary: 17th Street/Westminster Ave. (North); 1st Street (South); Grand Avenue (East); and Harbor Blvd. (West)
- Length: 4.1 Miles

STUDY AREA SELECTION BASED ON:

- Regional access between Santa Ana Regional Transportation Center & employment/activity centers of downtown

- Enhanced connectivity between neighborhoods, businesses and major destinations (Ex. Garden Grove Regional Transit Connection, Civic Center & Downtown Commercial)
- Opportunities to connect with regional transportation system including OCTA's Bus Rapid Transit program & planned Metrolink service expansions
- Future development & redevelopment opportunities

PUBLIC PROCESS (LOCALLY PREFERRED ALTERNATIVE)

- Phase 1: Preliminary Definition of Alternatives
 - Began with Six Alternatives (3 Streetcar, 3 Bus Options) and narrowed down to Three Alternatives
 - Stakeholder Meeting (Jan. 2010)
 - Preliminary Definition of Alternative (Feb. 2010)
- Phase 2: Initial Screening
 - 4 Scoping Meetings (June 2010)
 - Stakeholder Meeting (June 2010)
- Phase 3: Evaluation and Draft Environmental Impact Report
 - Alternatives Analysis & EA/DEIR (May- July 2014)
 - Public Meetings (June 2014)
- Phase 4: Locally Preferred Alternative (Today's Action)

STREETCAR ALTERNATIVE 1

BENEFITS

- Serves greatest number of transit dependent households
- Highest daily ridership
- Lowest O & M costs
- Existing land use best supports transit

CHALLENGES

- Some impacts to on-street parking on Fourth Street and Santa Ana Blvd.

STREETCAR ALTERNATIVE 2

BENEFITS

- Provides more proximate access to Civic Center destinations

CHALLENGES

- Longer, more circuitous route
- Longer route means greater cost to build (approximately 7%)
- Greater right-of-way impact

TSM- BUS RAPID TRANSIT BENEFITS

- Lower capital cost
- Does not require any additional right-of-way
- No adverse effect on the environment

CHALLENGES

- Lowest daily ridership
- Less passenger carrying capacity
- Less efficient/convenient boarding
- Provides little economic development benefit
-

PUBLIC REVIEW PROCESS (ENVIRONMENTAL ASSESSMENT / DRAFT ENVIRONMENTAL IMPACT REPORT)

REQUIREMENTS BY FEDERAL TRANSIT ADMINISTRATION

- ✓ 1 Notice in Newspaper
- ✓ 45 day comment period (May 23 – July 7, 2014)
- ✓ 1 community meeting
- ✓ 500 ft. notice to surrounding residents (3,796 notices)

ADDITIONAL OUTREACH

- 7 news articles written
- 3 community meetings
- Personalized mailings to stakeholders
 - Business owners
 - Neighborhood associations
 - Schools
 - Residents
- 3,796 Tri-lingual notices sent to residences
- Interpretation Services in 3 Languages
- Court Reporting Services at 3 meetings
- Created Project Website
- Printed Copies available at 7 Locations & online
- Notices posted at every Santa Ana Community Center
- Nixle Press Release and City Manager announced during a publicly televised City Council Meeting
- Information placed prominently on City's website, eliciting 100,000 views in the first 30 days of the 45 day review period
- Staff contacted key stakeholders, including those outside of the 500-foot envelope, such as Logan and French Park neighborhoods, and sent out as a community alert to over 2,000 neighborhood leaders
- Promoted on the City's social media channels several times throughout the 45 day review period
- Handouts distributed at neighborhood meetings throughout the 45 day review period

- Information was provided to the Santa Ana Unified School District Public Information Office and various staff

PUBLIC COMMENTS

- Received comments from:
 - Public Meeting #1: Verbal comments from 6 individuals
 - Public Meeting #2: Verbal comments from 4 individuals
 - Public Meeting #3: Verbal comments from 24 individuals
 - 4 postcards from residents
 - Received emails/letters from 4 organizations and five community groups

STAFF & CONSULTANT RECOMMENDATION CRITERIA

- Community Input
- Environmental Review Results
- Technical Criteria:
 - Transit-dependent households served
 - Transit-supportiveness of land uses served
 - Economic development potential along route
 - Additional right-of-way required
 - Travel times to key destinations
 - Number of riders
 - Ease of construction
 - Cost (Capital and Operating)

RECOMMENDED ROUTE

- Staff & Consultant, Cordoba Corporation, recommend Streetcar Alternative 1



RECOMMENDED ROUTE (STREETCAR ALTERNATIVE 1)

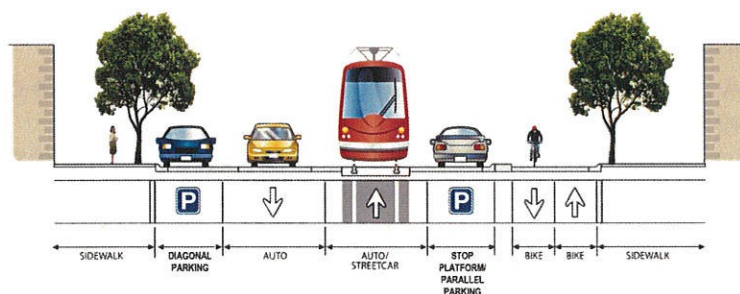
- Strong community support for a streetcar system as opposed to a bus option
- Highest daily ridership
 - *Alternative 1 - 6,100*
 - *Alternative 2 - 4,700*
- Serves greatest number of transit dependent households
- Most transit supportive land uses
- Compared to Alternative 2:
 - Least right of way acquisition
 - Lower cost
 - Ease of Constructability

- Larger economic development potential

PARKING & BICYCLE ACCESS RECOMMENDATION

- Parking on both sides of 4th Street
- Reconfigure to parallel parking on the south side
- Option to accommodate bicycle track
- Pedestrian amenities to encourage walking

PARKING & BICYCLE ACCESS OPTION



- Implementing streetcar on 4th Street opens up the opportunity to incorporate bicycles on 4th Street that **would not** be possible without streetcar – bicycles and diagonal parking are not compatible.

ADVANTAGES TO 4TH STREET ALIGNMENT

- Active corridor supports high-capacity transit
- Increased visual exposure and access for 4th Street Businesses
- In the heart of Downtown
- Widen sidewalk on south side to foster pedestrian/street level activities
- Fewer utilities than 5th St. This reduces construction complexity, cost, and duration
- Predictability – Streetcar delivers new customers every 10 minutes during peak hours and 15 minutes during off peak

STREETCAR CONSTRUCTION (DOES NOT REQUIRE DEMOLITION OR RECONSTRUCTION OF THE ENTIRE ROADWAY)

- Minimal impact for any business
- Construction is faster than other projects
- Perform construction in 2-3 block segments
 - 2-3 months per segment
- Work schedule flexibility (day, night, weekend flexibility, etc.)
- Maintain pedestrian access
- Parking concessions limited to extent possible

ROLE OF SANTA ANA & MEMORANDUM OF UNDERSTANDING (MOU) WITH ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA)

- OCTA to become Lead Agency
- Santa Ana will have a 10% Operating Cost financial commitment
- MOU concludes with the Alternatives Analysis & EA/EIR

- Once EIR is completed, OCTA staff & City staff would recommend transfer of project delivery responsibilities to OCTA. OCTA has expertise in:
 - Financial Support
 - Design
 - Construction
 - Operation

OCTA STAFF RECOMMENDATIONS (OCTA EXECUTIVE COMMITTEE APPROVED ON AUGUST 4, 2014)

- OCTA to serve as the lead agency for project development, implementation, operations and maintenance.
- OCTA to negotiate and define roles and responsibilities of Cities for project development through construction of project
- Pursue federal New Starts funding for project and submit a letter to the FTA requesting entrance into project development, the first phase of the New Starts Program.
- Approve the use of Measure M2 Project S revenues to fund operations and maintenance of future projects.
- Prepare a RFP for project management consultant services for the project and return to Board for approval

ENVIRONMENTAL IMPACT REPORT (EIR)

- Next steps for the EA/EIR Certification:
 - Compile public comments for use in recommending LPA and finalizing EA/Final EIR
 - Prepare responses to public comments from 45 day review period & to FTA for review/approval (Sept. 2014)
 - Incorporate responses into Environmental Assessment (EA) / Final EIR
 - City Council Certifies EIR under CEQA (Oct. 2014)
 - Receive Finding of No Significant Impact (FONSI) from Federal Transportation Administration (FTA)
 - This is the approval of the EA portion under NEPA and marks the conclusion of the environmental phase (Oct. 2014)

NEXT STEPS

- August 5, 2014 City Council Nominates LPA
- August 11, 2014 OCTA considers Implementation Plan & Financing Plan
- September 22, 2014 OCTA acknowledges Alternatives Analysis & Environmental Impact Review
- Fall 2014 City Council Certification of EIR

Council discussion ensued.

Councilmember Martinez, noted that all modes of transportation need to be reviewed; project now includes bicycle lane because she raised issue at the Council Committee level and to staff; direct staff that all future projects include the best approach and access to bicycles on 4th Street.

Councilmember Amezcua, noted that community outreach a top priority and staff to work with businesses to mitigate any unforeseen impacts as it relates to construction.

Councilmember Benavides, noted that project has been several years in the making; opportunity to put City on the map as regional leader and connect community; first phase is toughest to approve; supports project.

Councilmember Martinez, staff to provide preliminary designs to provide access to multi-modal specifically bicycles; City to have right design and utility expertise to have access to bicyclist; supports approval of Alternative 1.

Mayor Pulido, commented that project discussed over 20 years ago; has been top priority and has changed routes; part of Measure M1 and M2; funds needed to move forward and may need Federal and State assistance; encouraged all to take a ride of proposed project route including Pacific Electric Right of Way; expansion of project underway that may connect to airport and regional area.

MOTION: Adopt a resolution.

RESOLUTION NO. 2014-049 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA SELECTING A LOCALLY PREFERRED ALTERNATIVE FOR THE SANTA ANA – GARDEN GROVE FIXED GUIDEWAY PROJECT

MOTION: Martinez **SECOND:** Benavides

VOTE: **AYES:** Amezcua, Benavides, Pulido, Martinez (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Reyna, Sarmiento, Tinajero (3)

CONSENT CALENDAR ITEMS

MOTION: Approve Consent Calendar Items 10A through 32A as recommended by staff.

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

ADMINISTRATIVE MATTERS

MINUTES

10A. MINUTES FROM THE REGULAR MEETING OF JULY 15, 2014
 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

MOTION: Approve Minutes.

MISCELLANEOUS ADMINISTRATION

19A. CONFIRMATION OF CLOSED SESSION ACTION(S) – None

19B EXCUSED ABSENCES – Clerk of the Council Office

MOTION: Excuse the absence of Mayor Pro Tem Tinajero and Councilmember Reyna from the August 5, 2014 City Council Meeting.

19C. QUARTERLY REPORT OF INVESTMENTS AS OF JUNE 30, 2014
 {STRATEGIC PLAN NO. 4, 1} - Finance & Management Services

MOTION: Receive and file.

19D. QUARTERLY REPORT FOR HOUSING DIVISION PROJECTS AND
 ACTIVITIES APRIL 2014 – JUNE 2014 **{STRATEGIC PLAN NO. 5, 3}** -
 Community Development Agency

The Community Redevelopment and Housing Commission recommended the action at its July 16, 2014 meeting by a vote of 6-0.

MOTION: Receive and file.

19E. STRATEGIC PLAN UPDATE {STRATEGIC PLAN NO. 5, 1} - City Manager's Office

MOTION: Receive and file.

19F. BOND REFINANCE STATUS {STRATEGIC PLAN NO. 4, 2D} - Finance & Management Services

MOTION: Receive and file.

19G. QUARTERLY REPORT OF CONTRACTS UNDER \$25,000 ENTERED INTO BY THE CITY MANAGER AS PERMITTED BY CHARTER SECTION 421 (APRIL 1, 2014 TO JUNE 30, 2014) {STRATEGIC PLAN NO 4, 1} – Finance and Management Services Agency

MOTION: Receive and file.

BUDGETARY MATTERS

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

22A. SPEC. NO. 14-039 – MANHOLE FRAMES AND COVERS {STRATEGIC PLAN NO. 6, 1B} (Public Works Agency) - Finance & Management Services

Continued from the July 1, 2014 City Council meeting by a vote of 7-0.

MOTION: At the request of staff, continue consideration of matter.

22B. SPEC. NO. 14-038 - EMERGENCY WATER & SEWER CLEANUP SERVICES - (Public Works Agency) {STRATEGIC PLAN NO. 6, 1} - Finance & Management Services

MOTION: Award contracts for up to a three year period in annual aggregate amount not to exceed \$75,000, subject to non-substantive changes approved by the City Manager and City Attorney, with the following vendors:

<u>Vendor</u>	<u>Location</u>
Darling International Inc.	Santa An
Houston & Harris PCS, Inc.	Grand Terrace
Orange County Pumping, Inc.	Santa Ana

22C. SPEC. NO. 14-041 - BARRACUDA EMAIL ARCHIVING SYSTEM
{STRATEGIC PLAN NO. 7, 5A} - Finance & Management Services

MOTION: Award a contract to CPAC Inc. in an amount not to exceed \$26,800, subject to non-substantive changes approved by the City Manager and City Attorney.

22D. SPEC. NO. 14-033 - DESKTOP COMPUTERS, LAPTOPS, MOBILE DEVICES & RELATED EQUIPMENT {STRATEGIC PLAN NO. 6, 1I} - (Public Works Agency) - Finance & Management Services

MOTION: Award contracts for a one-year period in annual aggregate amount not to exceed \$400,000, with provisions for three one-year renewals exercisable by the City Manager, subject to non-substantive changes approved by the City Manager and City Attorney, with the following vendors:

Direct Manufacturer:

Dell Computer Corp.

Value-Added Resellers:

CDW Government, LLC
CherryStoneIT, Inc
Insight Investments
Vology

PROJECTS/CHANGE ORDERS

23A. CONTRACT AWARD FOR ARTERIAL STREETS RESURFACING USING TIRE RUBBER MODIFIED SLURRY SEAL (PROJECT 136788) {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency

MOTION:

1. Award a contract to Roy Allan Slurry Seal, Inc., the lowest responsible bidder, in accordance with the Base Bid and Alternative A, in an amount of \$890,800, for the construction of the arterial streets resurfacing using tire rubber modified slurry.
2. Approve the Cost Analysis for a total estimated project delivery cost of \$1,145,951.

23B. CONTRACT AWARD FOR ARTERIAL STREETS RESURFACING USING RUBBERIZED EMULSION AGGREGATE SLURRY (PROJECT 146809) {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency

MOTION:

1. Award a contract to All American Asphalt, the lowest responsible bidder, in accordance with the Base Bid, in an amount of \$1,130,298, for the construction of the arterial streets resurfacing using Rubberized Emulsion Aggregate Slurry.
2. Approve the Cost Analysis for a total estimated project delivery cost of \$1,454,049.

AGREEMENTS

- 25A. AGMT. NOS 2014-176 - EMPLOYEE GROUP INSURANCE RENEWALS FOR LONG TERM DISABILITY, MEDICAL, DENTAL, VISION, EMPLOYEE ASSISTANCE, EMPLOYEE GROUP LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE {STRATEGIC PLAN NO. 7, 6} - Personnel Services Agency

MOTION: Authorize the City Attorney to prepare and authorize the City Manager and Clerk of the Council to execute agreements, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25B. AGMT. NO. 2014-177 - DEVELOPMENT AND REAL ESTATE ADVISORY SERVICES FOR PROJECTS LOCATED AT 1660 EAST FIRST STREET AND 201 WEST THIRD STREET {STRATEGIC PLAN NO. 3, 5A} - Planning and Building Agency

MOTION: Authorize the City Manager and the Clerk of the Council to execute an agreement with Kosmont Companies in an amount not to exceed \$60,000, for a period of two years with an option to renew for an additional year, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25C. AGMT. NO. 2014-178 - TELEPHONE SERVICE REIMBURSEMENT AT THE SANTA ANA W/O/R/K CENTER {STRATEGIC PLAN NO. 4, 1} - Community Development Agency

MOTION: Authorize the City Manager or his designee and the Clerk of the Council to execute an agreement with the State of California, Employment Development Department in an amount not to exceed \$39,077 subject to non-substantive changes approved by the City Manager and City Attorney.

25D. AGMT. NO. 2014-179 - PREPARATION OF THE FIVE-YEAR (2015-2019) CONSOLIDATED PLAN AND ANNUAL UPDATE {STRATEGIC PLAN NO. 5, 1} - Community Development Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Ernest Swiger Consulting, Inc. in an amount of \$55,000, subject to non-substantive changes approved by the City Manager and City Attorney.

25E. LAW ENFORCEMENT PSYCHOLOGICAL SERVICES {STRATEGIC PLAN NO. 1, 3A} - Police Department

MOTION: At the request of staff, continue consideration of matter.

25F. AGMT. NO. 2014-180 - ADDITION OF A NEW MEMBER AGENCY (CALIFORNIA STATE UNIVERSITY FULLERTON POLICE DEPARTMENT) TO THE INTEGRATED LAW AND JUSTICE AGENCY FOR ORANGE COUNTY (ILJAO) {STRATEGIC PLAN NO. 1, 3A}- Police Department

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with the Integrated Law and Justice Agency for Orange County (ILJAO), subject to non-substantive changes approved by the City Manager and City Attorney.

25G. AGMT. NO. 2014-181 - GRANT MANAGEMENT SERVICES {STRATEGIC PLAN NO. 1, 3B} - Police Department

MOTION: Authorize the City Manager and the Clerk of the Council to execute an amendment with Willdan Homeland Solutions in an annual amount not to exceed \$135,000, subject to non-substantive changes approved by the City Manager and City Attorney.

25H. AGMT. NO. 2014-182 - SEXUAL ASSAULT EVIDENCE COLLECTION {STRATEGIC PLAN NO. 1, 1D} - Police Department

MOTION: Authorize the City Manager and the Clerk of the Council to execute a two-year agreement, ending June 30, 2016, with Anaheim Regional Medical Center in an amount of \$80,000, subject to changes approved by the City Manager and City Attorney.

25I. DEMOLITION SERVICES FOR CAPITAL IMPROVEMENT PROJECTS (CIP) (NONGENERAL FUND) {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute agreements, subject to non-substantive changes approved by the City Manager and City Attorney, services for a three-year term expiring on August 4, 2017, in an amount not to exceed \$400,000 each.

- AGMT. NO. 2014-183 - J & G Industries, Inc.
- AGMT. NO. 2014-184 - NorthStar Demolition and Remediation, LP

25J. PURCHASE AND SETTLEMENT AGREEMENTS FOR THE BRISTOL STREET IMPROVEMENTS PROJECT NO. 116740 (NONGENERAL FUND), 1405 NORTH BRISTOL STREET (APN 405-272-17) {STRATEGIC PLAN NO. 6, 1G AND 3, 2C} - Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute the following agreements With Tuan Anh Phan and Hoang Ngo Phan, husband and wife, as joint tenants, subject to non-substantive changes approved by the City Manager and City Attorney:

- AGMT. NO. 2014-185 – A purchase agreement in the amount of \$550,000 for the full purchase price for said real property, and
- AGMT. NO. 2014-186 - An all-inclusive settlement agreement in the amount of \$200,000 as total compensation for relocation assistance, and any and all related expenses and claims for relocation benefits, moving, interest of any kind in real estate and leasehold, and loss of goodwill (if any).

25K. AGMT. NO. 2014-187 - SEWER MASTER PLAN UPDATES {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with RMC Water and Environment, Inc., subject to non-substantive changes approved by the City Manager and City Attorney, in an amount not to exceed \$500,000 for a term ending June 30, 2017.

25L. AGMT. NO. 2014-188 - TRAFFIC SIGNAL AND STREET LIGHTING SYSTEMS MAINTENANCE {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Aegis ITS, Inc., subject to non-substantive changes approved by the City Manager and City Attorney, for a three-year period expiring August 31, 2017, with the provision for two (2) one-year extensions exercisable by the City Manager, in an amount not to exceed \$650,000 annually.

25M. AGMT. NO. 2014-189- SANTA ANA MANAGEMENT ASSOCIATION (SAMA) {STRATEGIC PLAN NO. 7, 4 & 6} - Personnel Services Agency

MOTION: Direct the City Attorney to prepare and authorize the City Manager and Clerk of the Council to execute an agreement with the Santa Ana Management Association (SAMA), subject to non-substantive changes approved by the City Manager and City Attorney, regarding wages and other terms and conditions of employment for a one-year period expiring June 30, 2015 in an amount not to exceed \$65,000.

25N. AGMT. NO. 2014-190 - CONFIDENTIAL ASSOCIATION OF SANTA ANA (CASA) {STRATEGIC PLAN NO. 7, 4 & 6} - Personnel Services Agency

MOTION: Direct the City Attorney to prepare and authorize the City Manager and Clerk of the Council to execute an agreement 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 one-year period ending June 30, 2015 in an amount not to exceed \$225,780.

25O. AGMT. NO. 2014-191 - PART-TIME NON-CIVIL SERVICE EMPLOYEES - {STRATEGIC PLAN NO. 4 & 6} - Personnel Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with the Service Employees International Union, representing the Part-Time Non-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 one-year period ending June 30, 2015 in an amount not to exceed \$245,600.

- 25P. AGMT. NO. 2014-192 - STATE GOVERNMENT LIAISON SERVICES
{STRATEGIC PLAN NO. 1-7} - City Manager's Office

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement for state government liaison services with Townsend Public Affairs in an annual amount not to exceed \$60,000, commencing July 1, 2014 for a one-year term with the option of extending the term for two one-year terms, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25Q. AGMT. NO. 2014-193 - FEDERAL GOVERNMENT LIAISON SERVICES
{STRATEGIC PLAN NO. 1-7} - City Manager's Office

MOTION: Authorize the City Manager and the Clerk of the Council to execute an amended agreement with Holland and Knight, in an annual amount not to exceed \$100,800, commencing July 1, 2014 for a one-year term with the option of extending the term for two (2) one-year terms, subject to non-substantive changes approved by the City Manager and City Attorney.

LAND USE MATTERS

CONDITIONAL USE PERMIT/VARIANCES

- 31A. CONDITIONAL USE PERMIT NO. 2014-18 TO ALLOW A TYPE 47 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR MARISCOS EL CANGREJO NICE RESTAURANT LOCATED AT 819 SOUTH MAIN STREET – BLANCA TORIZ, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning & Building Agency

Planning Commission approved recommended action on July 14, 2014, by a vote of 6-0 (Gartner absent).

MOTION: Receive and file the staff report approving Conditional Use Permit No. 2014-18.

TENTATIVE PARCEL/TRACT MAPS

- 32A. TENTATIVE PARCEL MAP NO. 2014-02 TO SUBDIVIDE AN EXISTING PARCEL INTO TWO LOTS AT 1135 WEST BROOK STREET – HOWARD GLASSER, APPLICANT {STRATEGIC PLAN NO. 5, 3 & 4} - Planning and Building Agency

MOTION: Confirm the Zoning Administrator's action approving Tentative Parcel Map No. 2014-02 (County Map No. 2013-154) as conditioned.

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

COUNCIL AGENDA ITEM


85A. DISCUSSION OF BICYCLE REGISTRATION AND TICKETING POLICY (SANTA ANA MUNICIPAL CODE SECTION 10-196 THROUGH 10-209) – (Councilmember Martinez)

Item continued to the September 2, 2014 City Council Meeting at the request of Councilmember Martinez.

Councilmember Benavides left meeting at 8:43 p.m.

ADJOURNED - 8:43 p.m. The Regular Meeting was adjourned due to lack of quorum.

The next meeting of the City Council is scheduled for September 2, 2014 at 5:00 p.m. for the Closed Session Meeting immediately followed by the Regular Open Business Meeting at 5:45 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.


Maria D. Huizar,
Clerk of the Council

FUTURE AGENDA ITEMS

- Harbor Blvd. Mixed-Use Plan
- Solar Permit Fee Waiver
- Proactive Rental Enforcement Program Renewal

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THE FOLLOWING AGENDIZED ITEMS WERE CONTINUED TO THE SEPTEMBER 2, 2014 CITY COUNCIL MEETING.

BUSINESS CALENDAR ITEMS

RESOLUTIONS

- 55A. RESOLUTION AUTHORIZING A WAIVER OF THE NEW APPLICATION FEE FOR THE PRIVATE PARTY NOMINATIONS OF PROPERTIES TO THE SANTA ANA REGISTER HISTORICAL PROPERTIES AND MODIFICATION OF MILLS ACT AGREEMENT FEES - **{STRATEGIC PLAN NO. 5, 3}** - Planning and Building Agency
- 55B. RESOLUTION - PROPOSED AMENDMENT TO CLASSIFICATION AND COMPENSATION PLAN AND ANNUAL BUDGET - ADDING TWO FULL TIME RECREATION PROGRAM COORDINATOR POSITIONS AND ONE FULL TIME RECREATION LEADER POSITION IN THE PARKS, RECREATION AND COMMUNITY SERVICES AGENCY **{STRATEGIC PLAN NO. 2, 5, & 6}** - Personnel Services Agency

PUBLIC COMMENTS

At the request of Mayor Pulido, Public Comments proceeded with the following members and staff present: Councilmembers Amezcua and Martinez, City Manager Cavazos, City Attorney Carvalho, and Clerk of the Council Huizar.

- Robin Cook, supports funding as recommended on Agenda Item 20A - use of public funds to protect the public; opposed to medical marijuana dispensaries; also, spoke on bicycle registration, unsafe to share the road.
- Craig A. Durfey, founder Distracted Driving Awareness & Complete Streets spoke of need to provide proof of bicycle ownership; bicyclist must follow rules of the road; encourage to review City of Davis' program.
- Ramon Zavala, board member of Irvine's Sustainable Transportation (TDM) group, group has responsibility to provide best practices and value of registration - promotes security, but should be optional; opined that registration hours are minimal; supports repeal of mandatory registration.
- Marina Ramirez, commented on Complete Streets Project to include bicycles; community unaware that registration required.
- Steve McGuigan, attended National Night-Out; positive interaction with police needed; also, noted that City has hosted free bicycle registration events and residents may register at Police West-End substation.
- Marion Phillips, spoke in opposition to recent medical marijuana facility raids.
- Philip Escobedo, spoke on Agenda Item 20A and recent raids; revenue to be used for social programs; urged all to vote No on Measures to regulate medical marijuana.
- Michael Kelly, noted that he was a victim of recent medical marijuana facility raid; opined that not effective use of public funds.
- Kandice Hawes-Lopez, spoke of two recent raids of medical marijuana facilities, 120 people arrested, but collectives open again; questioned treatment of arrestees and condition of paddy wagon.

- Elizabeth Lopez, concerned with recent medical marijuana dispensaries raids and concerned with police treatment.
- Guy Lopez, concerned that dispensaries raided; supports legalization of medical marijuana dispensaries.
- Douglas Lanphere, concerned that ban not effective; advocated for medical marijuana.
- Charles Stocks, proponent for medical marijuana; concerned with recent dispensary raids.
- Carl Benninger spoke on behalf of Irma Macias, invited all to attend Sports Complex Groundbreaking Ceremony at Valley High School on August 18th; Comlink will host 25th Anniversary Celebration at Bowers at 6:30 p.m. on August 28th; also, concerned with marijuana dispensary that opened near his home, thanked all for enforcing ban.
- Barbara Lamere, attended Parks, Recreation, Education and Youth Council Committee where they discussed conversions; concerned with use of open space by Rancho Santiago Community College District at Centennial Park.
- Thomas Gordon, supports medical use of marijuana and opposes drug shops; noted that collectives are legal and can apply for 501c3 through the State to operate legally; opined that City has more dispensaries than parks; proposed petition Congress to regular and allow marijuana to be obtained at medical facility and not tax; spoke in support of police department.

Public Comments concluded at 9:24 p.m.