

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

MARCH 15, 2016

CLOSED SESSION MEETING

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
5:09 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
MIGUEL A. PULIDO, Mayor
VICENTE SARMIENTO, Mayor Pro Tem
ANGELICA AMEZCUA
P. DAVID BENAVIDES
ROMAN A. REYNA
SAL TINAJERO (5:17 P.M.)

COUNCILMEMBERS Absent:
MICHELE MARTINEZ

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 5:09 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:
 - Thomas Rivas vs City of Santa Ana; Case Nos. ADJ9005700; ADJ2495594 and ADJ Unassigned
 - City of Santa Ana v. William Green Superior Court Case Number 30-2015-00783615

- 2. LIABILITY CLAIMS pursuant to section 54956.95 of the Government Code:
 - Claimant: Eduardo Viera, No. 2015-066

- 3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 Potential Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 (One Case).

- 4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8:
 - Address of Property: Bristol Street Project Coalition Properties
 - 1. Coalition Property: 1417 N. Bristol Street, Santa Ana, CA APN 405-252-17 Owners: Jesus Zambrano & Veronica Rosales Zambrano
 - 2. Coalition Property 1415 N. Bristol Street, Santa Ana, CA APN 405-272-19 Owner: Robert Peter Gonzales

 - Negotiators: City Manager Cavazos

 - Terms: Conditions of potential sale.

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

ADJOURNED THE CLOSED SESSION MEETING AT 6:07 P.M. AND CONVENED TO THE REGULAR OPEN MEETING.

REGULAR OPEN MEETING

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CA
6:10 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
MIGUEL A. PULIDO, Mayor
VICENTE SARMIENTO, Mayor Pro Tem
ANGELICA AMEZCUA (6:14 p.m.)
P. DAVID BENAVIDES
MICHELE MARTINEZ (Teleconference)*
ROMAN A. REYNA
SAL TINAJERO (6:14 p.m.)

COUNCILMEMBERS Absent:
None

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

PLEDGE OF ALLEGIANCE

KIMBERLY PARRA, JACKSON ELEMENTARY
SCHOOL

INVOCATION

JACK ABELEN, POLICE CHAPLAIN

TELECONFERENCE - Pursuant to Government Code Section 54953(b), Councilmembers Martinez participated in a portion of the meeting via teleconference from Marriot Marquis, Massachusetts Ave., NW, Washington DC. The Agenda for said meeting was posted at said location as required by the Brown Act.*

PRESENTATIONS

SPECIAL PRESENTATION – Orange County Human Relations Commission's Annual Report presented by Commissioner Leticia Mata.

CERTIFICATE OF RECOGNITION presented by **COUNCILMEMBER REYNA** to Noeli Zarate for achieving a perfect score on the College Board's Advanced Placement Spanish Language and Culture exam.

PROCLAMATION presented by **COUNCILMEMBERA MARTINEZ AND AMEZCUA** to Monica Rodriguez of Latinas Lead in recognition of National Women's History Month and **CERTIFICATES OF RECOGNITION** to the following women who serve on a City Board or Commission: Cecilia Aguinaga; Jennifer S. Barron; Anais Benavides; Marlene Buitron; Judith A. Carrillo; Alberta D. Christy; Willia J. Edmonds; Alma Flores; Alexis Garcia; Monica O Garcia; Yesenia Godinez; Lynnete Guzman; Ana Jimenez-Hami; Marjorie A. Knitter; Tish Leon; Erlinda Martinez; Janelle McLoughlin; Stephanie A Najera; Sandra Pena; Stefanie Phillips; Tabatha N. Reyes; Maria Isabel Rivera; Marytza K. Rubio; Maria Guadalupe Ruiz; Stacey Sanchez; Julie Stroud; Wendy Tobiska; Maricela Vallejo; Marlene Vasquez; Lynnette Verino.

AGENDA ITEMS TAKEN OUT OF ORDER

COUNCIL AGENDA ITEM

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

- 85A. CITY COUNCIL TO CONSIDER APPROVING RESOLUTION URGING THE FEDERAL GOVERNMENT TO PROTECT IMMIGRANT FAMILIES AND VICTIMS OF TRUST ACT VIOLATIONS FROM NEEDLESS DEPORTATIONS – (Mayor Pro Tem Sarmiento and Councilmember Benavides)

The following spoke on the matter:

- Carlos Perea, spoke in support of proposed resolution.
- Samuel Sixtos, thanked the City Council for bringing matter to light and support.
- Martha Sixtos, mother of Samuel Sixto, expressed appreciation for bringing matter forward for consideration.
- Marilyn Montano, stands in solidarity and support of Sixtos family.
- Victor Valladares, spoke in support of the Trust Act, requested Orange County Sheriff's Department to uphold Act.
- Jennifer Rojas, representing the American Civil Liberties Union, urged the City Council to support and uphold the Trust Act,
- Hairo Cortes, thanked the City Council for agendizing item and continue to take steps to support immigrant families.
- Jesus Santana, stand in solidarity of Samuel Sixtos; important to protect families.
- Joese Hernandez, member of OCCORD, invited all to attend Citizenship Fair scheduled on April 9, 2016; urged deportation proceedings to be halted.
- David Carbajal, opined that Trust Act being violated and asked City Council to vote in favor of resolution.
- Avila Medrano, member of RAIZ, opined that Orange County Sheriff's Department violating Trust Act.

Mayor Pro Tem Sarmiento, recognized Sixtos family and Councilmember Benavides for bringing matter forward; asked all law enforcement agencies to respect Trust Act; important not to separate families for trifling violations; residents need to trust local law enforcement to better report crimes.

Councilmember Benavides, thanked speakers, important to educate community; we are country of immigrants; maintain dignity and respect; resolution will speak of solidarity.

Councilmember Amezcua, support resolution; noted that it was important to protect immigrant families.

Councilmember Tinajero, thanked City Councilmembers who agendized matter because it takes courage to bring matter forward.

Councilmember Reyna, quality of life is reason for many to come to this country.

MOTION: Adopt a resolution.

RESOLUTION NO. 2016-018 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA, CALIFORNIA URGING IMMIGRATION CUSTOMS ENFORCEMENT, SECRETARY OF HOMELAND SECURITY JEH JOHNSON, AND PRESIDENT OBAMA TO PROTECT OUR FAMILIES FROM DESTRUCTIVE AND NEEDLESS DEPORTATIONS BY EXERCISING PROSECUTORIAL DISCRETION IN CASES SUCH AS SANTA ANA RESIDENT SAMUEL SIXTOS CURRENTLY IN DEPORTATION PROCEEDINGS AND VICTIMS OF TRUST ACT VIOLATIONS

MOTION: Benavides **SECOND:** Sarmiento

VOTE: **AYES:** Amezcua, Benavides, Martinez, Pulido, Reyna, Sarmiento, Tinajero (7)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

PUBLIC HEARING

75D. PUBLIC HEARING – FINAL ENVIRONMENTAL IMPACT REPORT NO. 2013-01 AND AMENDMENT TO DEVELOPMENT AGREEMENT NO. 1999-01 FOR THE MATER DEI HIGH SCHOOL PARKING STRUCTURE AND SCHOOL EXPANSION PROJECT AT 1202 WEST EDINGER AVENUE – MATER DEI

HIGH SCHOOL, 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.

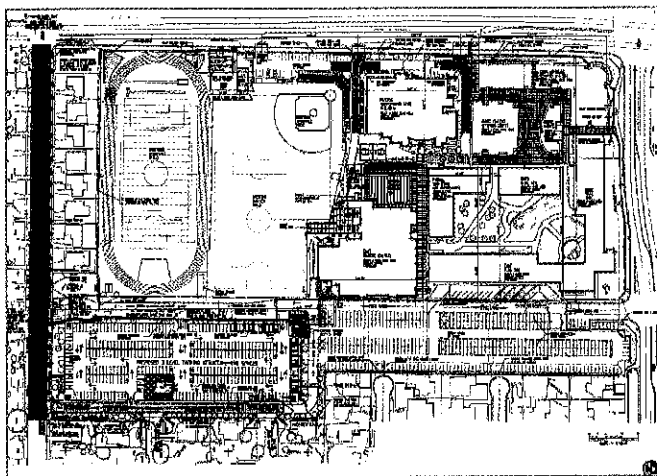
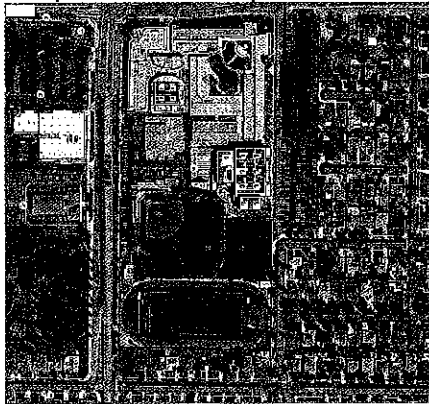
Legal Notice published in the O.C. Reporter on March 4, 2016 and notices mailed.

Staff report presentation by Senior Planner Vince Fregoso

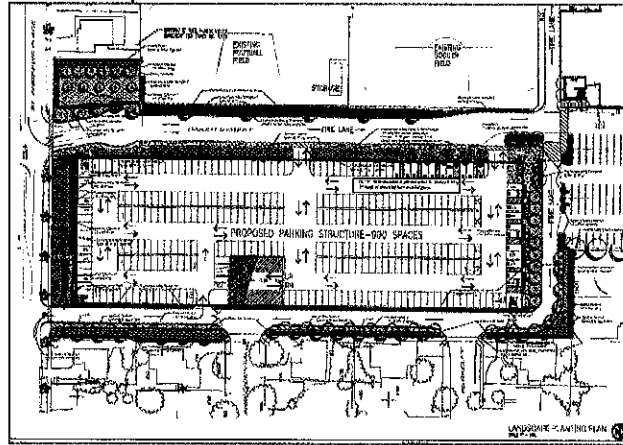
Request of applicant

- Future construction of 990-space parking structure
- Future construction of two-story education building
- Recommend certification of final environmental impact report
- Amend existing development agreement

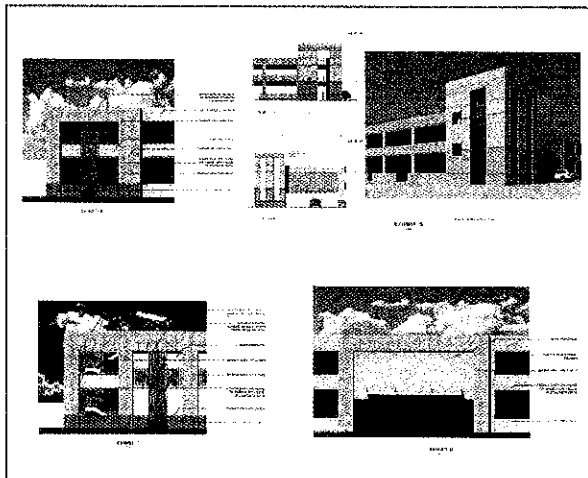
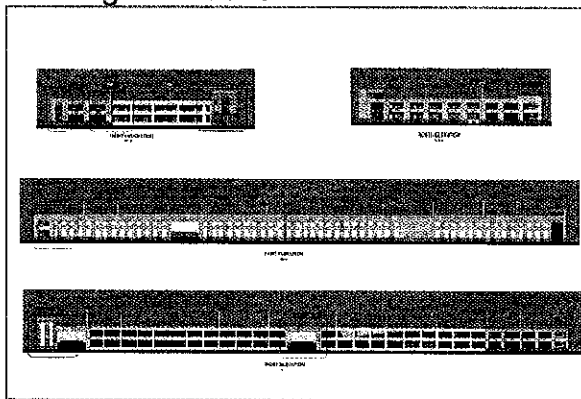
Proposed Site Expansion



Landscape Plan



Building elevations



Final Environment Impact Report

- Draft EIR released October 2014 and PC Hearing in November 2014
- Analyzed four different project alternatives
- Response to comments addresses issues raised during 45-day public review period
- All impacts mitigated to less than significant except for aesthetics

Development Agreement

- Amend agreement to include the following changes to previous document:
 - Revise master plan to include expansion, parking structure and classroom building
 - Increase student enrollment
 - Identify future public improvements
- All other elements of previous DA will remain
- Finalizing financial details within document

Community Outreach

- Extensive community outreach for project:
 - Public scoping meeting in December 2012
 - Multiple neighborhood meetings in 2013
 - Planning Commission hearing in November 2014
 - Neighborhood meeting in June 2015
 - Planning Commission hearing in July 2015
 - Community meeting in August 2015

Analysis

- Project will benefit the community through the expansion of educational facility
- Environmental impact report identifies potential impacts and mitigation measures to address impacts
- Development agreement will allow Mater Dei to continue with vision of master plan approved in 2000

Planning Commission Action:

- Recommended 7:0 that the City Council certify the environmental impact report and statement of overriding considerations as well as approve the amendments to the development agreement

Recommendation

- Recommend that the City Council:
 - Certify the Final EIR, approve the Mitigation Monitoring Program and Statement of Overriding Considerations
 - Adopt an ordinance approving the amendment to the development agreement

Mayor Pulido opened the Hearing. The following spoke on the matter:

- Angel Bravo, requested fair price for home; and treated with dignity;
- Maria Simon, asked City Council to have residents treated with dignity and fair price;
- Madeliene Spencer, requested benefit analysis to be included
- Rhoanda Brito, reiterated concern expressed by other speakers and area residents that will be impacted by project
- Patrick Murphy, President of Mater Dei, presented terms of development agreement and highlighted proposal (also referred to as Appendix 1) submitted for consideration.

Mayor Pulido closed the Hearing. Council discussion ensued.

Councilmember Amezcua, asked if proposal received was part of staff recommendations.

City Manager Cavazos, noted that City has not accepted or countered the proposal; budget cycle underway and may be considered along with other requests; estimated value of \$5 million in street improvements requested; budget appropriation required if approved.

City Attorney Carvalho, noted that policy direction can be directed from the dais; it is good policy to bring back to Planning Commission if development agreement further amended; proposal has financial implications.

Patrick Murphy, President of Mater Dei, asked that spirit of agreement approved in 1995 and amended in 1999 be honored - City will pay for abandonment of the streets, movement of utilities and offsite electrical as original agreed in Development Agreement.

Councilmember Tinajero, asked that meetings with City Councilmembers be scheduled; concerned that proposal received and staff has not evaluated cost and impacts; want to see Mater Dei succeed but follow process.

Councilmember Amezcua, noted that Appendix 1 will be considered in the future.

Mayor Pulido, requested consideration of staff recommendation and continue consideration of applicant's proposal in 30-60 days.

Patrick Murphy, respect process and expressed their commitment to working with residents and change property purchase negotiator, if requested.

Mayor Pro Tem Sarmiento, indicated that school is highly regarded institution; good to bifurcate staff recommendation and new proposal; asked school representatives to treat homeowners fairly, with dignity and respect – City losing housing inventory; asked if parking location to the south considered.

Patrick Murphy, noted that all parking options considered and proposal was best option.

City Attorney Carvalho, noted legal requirements that apply to environmental impact reports.

Councilmember Reyna, supports school and asked applicant to follow budget process.

Councilmember Benavides, asked school to work with residents; interested in obtaining analysis of proposal.

AMENDED MOTION:

1. **Direct staff to analyze Appendix 1 as submitted by Mater Dei and bring back to City Council for consideration in 60 days.**
2. **Adopt a resolution.**

RESOLUTION NO. 2016-019 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT NO. 2013-01; AND, ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE MATER DEI HIGH SCHOOL PARKING STRUCTURE AND SCHOOL EXPANSION PROJECT LOCATED AT 1202 WEST EDINGER AVENUE

3. **Place ordinance on first reading and authorize publication of title.**

ORDINANCE NO. NS-2895 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING A SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA ANA AND DIOCESE OF ORANGE EDUCATION AND WELFARE CORPORATION, A CALIFORNIA NON-PROFIT CORPORATION, FOR THE MATER DEI HIGH SCHOOL PARKING STRUCTURE AND SCHOOL EXPANSION PROJECT LOCATED AT 1202 WEST EDINGER AVENUE

MOTION: Sarmiento

SECOND: Pulido

VOTE: AYES:

Amezcuca, Benavides, Martinez, Pulido, Reyna, Sarmiento, Tinajero (7)

NOES:

None (0)

ABSTAIN:

None (0)

ABSENT:

None (0)

***Councilmember Martinez left the meeting at 8:05 p.m. and did not return.**

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

PUBLIC COMMENTS

- Michael Weisman, Chief Executive Officer of Amusement Park Inc. and co-Chair of the Chamber of Commerce's Economic Development Council, supports formal private/public partnership; requested financial commitment to assist with economic development; urged all to support partnership and City's financial commitments.
- Jonathan Maher, representing Main Place Mall; requested assistance in marketing the City - Economic Development Plan; Mall has contributed additional sales tax through recent revitalization; urged all to provide assistance.
- Ryan Chase, requested consideration of long term and sustainable Economic Development Plan.
- Paula Garcia, board member of Hispanic Chamber of Commerce, supports Economic Development Plan.
- Luis Sarmiento, spoke on behalf of Clara Turner and SACReD; inquired about the Economic Development Advisory Committee; asked community to be engaged as proposed by the Wellness Community;
 - Councilmember Benavides asked that Council recommendations in the past be incorporated in the discussion.
- Joese Hernandez, opposed to wandering at Council meetings; Views Santa Ana as thriving, and expressed City's economic plan should support all businesses.
- Ilya Tselgi, requested assistance for son who is in State custody.
- Michael Klubnikin, noted that Orange County Board of Supervisors have structural issues.
- Madeline Spencer, commented on Economic Development Strategic Plan that is underway.
- Lupe Morfin Moreno, commented on various library concerns; requested additional police security, better lighting and other services.
- Maximo Marin, commented on homeless situation.

CONSENT CALENDAR ITEMS

MOTION: Approve staff recommendations on Consent Calendar Items 10A through 31B, with the following modifications:

- Mayor Pulido pulled Agenda Items 25E and 25F for separate discussion; and
- Mayor Pro Tem Sarmiento pulled Agenda Item 25A for separate discussion.

MOTION: Reyna

SECOND: Sarmiento

VOTE: **AYES:**

Amezcuca, Benavides, Pulido, Reyna, Sarmiento, Tinajero (6)

NOES:

None (0)

ABSTAIN:

None (0)

ABSENT:

Martinez (1)

Items removed for separate action or modified are highlighted. Separate actions show the actual vote. Items without votes are adopted as part of the consent motion.

ADMINISTRATIVE MATTERS

MINUTES

- 10A. MINUTES FROM THE REGULAR MEETING OF MARCH 1, 2016
{STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

MOTION: Approve Minutes.

- 13A. NOMINATED BY COUNCILMEMBER TINAJERO AS THE WARD 6 REPRESENTATIVE TO ENVIRONMENTAL & TRANSPORTATION ADVISORY COMMITTEE (ETAC) FOR A PARTIAL TERM EXPIRING DECEMBER 11, 2018 (REPLACES S. TUCHLER) {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

MOTION: Appoint Gary L. Wood, (Ward 6 resident)

MISCELLANEOUS ADMINISTRATION

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

MOTION: Approve settlements as follow:

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:

- Thomas Rivas vs City of Santa Ana; Case Nos. ADJ9005700; ADJ2495594 and ADJ Unassigned; approved settlement in the amount of \$28,505 by 5-0 vote (Tinajero abstained and Martinez absent).
- City of Santa Ana v. William Green Superior Court Case Number 30-2015-00783615; approved additional \$15,000 by 5-0 vote (Benavides and Martinez absent).

- 19B. EXCUSED ABSENCES – None

- 19C. STRATEGIC PLAN MONTHLY REPORT FOR FEBRUARY 2016 {STRATEGIC PLAN NO. 5, 1} – City Manager’s Office

MOTION: Receive and file.

- 19D. CITY OF SANTA ANA GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT {STRATEGIC PLAN NO. 5, 3B} - Community Development

MOTION: Authorize submittal of the General Plan Housing Element Annual Progress Report to the State of California Housing.

- 19E. INTENT TO RELEASE FIESTAS PATRIAS 2016 REQUEST FOR PROPOSAL {STRATEGIC PLAN NO. 5, 5C} – Parks, Recreation & Community Services Agency

MOTION: Receive and file.

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

- 20A. APPROPRIATION ADJUSTMENT AND AGREEMENT TO IMPLEMENT THE FIT CITIES GRANT WITH THE COUNTY OF ORANGE HEALTH CARE AGENCY; {STRATEGIC PLAN NO. 5, 4B} – Public Works Agency

MOTION:

1. AGMT NO. 2016-038 - Authorize the City Manager and Clerk of the Council to execute an agreement with the County of Orange, to provide Fifteen in Twenty-Two Cities Mini Grant Services, for the term beginning February 1, 2016 through June 30, 2016, in an amount not to exceed \$30,000, subject to non-substantive changes by the City Manager and City Attorney.
2. Approve an appropriation adjustment. *(Requires five affirmative votes).*

APPROPRIATION ADJUSTMENT NO. 2016-091 – To recognize FIT Cities Initiative grant funds in the amount of \$30,000 into the Emergency and Health Fund revenue account and appropriate the same in the Emergency and Health expenditure accounts.

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

- 22A. SPEC. NO. 16-015 AND 16-016 - CONTRACTS AWARD FOR FIREARMS, ACCESSORIES AND MISCELLANEOUS POLICE SUPPLIES {STRATEGIC PLAN NO. 1, 5} – (Police Department) - Finance and Management Services

MOTION: Authorize a one-time purchase and payment of purchase orders for firearms and accessories in an amount not to exceed \$181,000; and an additional \$20,000 contract award for flares and various police recruit supplies for a total amount not to exceed \$201,000 with the vendors listed below, subject to non-substantive changes approved by the City Manager and City Attorney:

<u>Vendor</u>	<u>Amount</u>
LC Action Police Supply	\$106,977
Adamson Police Products	\$ 59,373
Galls, LLC	\$ 14,467
Adamson Police Products	\$ 20,000

- 22B. SPEC 15-114 - CONTRACT AWARD FOR REPAIR OF HEATING-VENTILATION-AIR CONDITIONING SYSTEMS AT VARIOUS CITY FACILITIES {STRATEGIC PLAN 6, 1C} - Finance and Management Services

MOTION: Award three-year contracts expiring on March 15, 2019 with an option to renew for one year for Heating-Ventilation-Air Conditioning (HVAC) repair services, including emergency call out services, to ACCO Engineering, FM Thomas, Johnson Controls Inc., and Trane in a not to exceed annual amount of \$100,000 each for a not to exceed annual total amount of \$400,000, for a three year grand total not to exceed \$1,200,000, subject to non-substantive changes approved by the City Manager and City Attorney.

- 22C. SPEC. NO. 16-028 - PAYMENT AUTHORIZATION FOR TERMITE DAMAGE REPAIRS {STRATEGIC PLAN NO. 6, 2} (Parks, Recreation & Community Services Agency) - Finance and Management Services

MOTION: Authorize payment to Americal Construction Management Group in the amount of \$12,190 for repairs to remediate termite damage to the log cabin at Santiago Park, subject to non-substantive changes approved by the City Manager and City Attorney.

PROJECTS/CHANGE ORDERS

- 23A. AWARD CONSTRUCTION CONTRACT FOR MEMORY LANE / SANTA ANA RIVER PARK PROJECT NO. 15-2647 – Public Works Agency

MOTION:

1. Authorize the City Manager and Clerk of the Council to award and execute a contract to Lehman Construction, Inc., the lowest responsible bidder, in accordance with the base bid plus additive Alternates 1, 2, 3, 4, and 6, in the amount of \$859,172, for the construction of the Memory Lane/Santa Ana River Park, 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 \$1,073,900, which includes the contract base plus additive alternates (additive Alternates 1, 2, 3, 4, and 6), administration, inspection, testing, and an authorized contingency of \$85,917.

AGREEMENTS

25A. AMENDMENT TO DEVELOP CITYWIDE ECONOMIC DEVELOPMENT STRATEGIC PLAN (STRATEGIC PLAN NO. 3, 1A) – Community Development Agency

Mayor Pro Tem Sarmiento, expressed concern with additional funding request; better contract management needed.

Mayor Pulido, concurred.

Councilmember Amezcua, noted that staff available to meet with stakeholders and would not support additional funding; staff can complete the Plan inhouse

Councilmember Benavides, concerned that contract funds expended without completing Plan.

Alexa Smittle, Consultant, indicated that additional outreach provided that was not included in original Plan, thus need for additional funds to complete the Plan.

SUBSTITUTE MOTION: Deny staff recommendation.

MOTION: Pulido

SECOND: Sarmiento

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

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez, Reyna, Tinajero (3)

25B. AGMT NO. 2016-039 – AMENDMENT-CONTRACT RENEWAL FOR UTILITY BILLING SOFTWARE UPGRADES AND EXTENSION OF MAINTENANCE AGREEMENT {STRATEGIC PLAN NO. 7, 5} – Information Technology Department

MOTION: Authorize the City Manager and Clerk of the Council to execute a third amended agreement with Systems and Software, Inc. for a comprehensive upgrade of enQuesta, the City’s utility customer service and billing system to include additional services for interactive voice recognition and mobile app integration, and to require approval for ancillary funds for hardware acquisition for an amount not to exceed \$249,700. Authorization of third amended agreement to also include ongoing system maintenance for the annual calendar year periods of 2016, 2017, and 2018, along with two additional one year extensions for the annual calendar year periods of 2019 and 2020 exercisable by the City Manager and City Attorney, subject to non-substantive changes for an amount not to exceed \$798,895.

25C. AGMT NO. 2016-040 - AMENDMENT - OFF-SITE DATA STORAGE AND DESTRUCTION SERVICES {STRATEGIC PLAN NO. 6, 1} - Information Technology and Police Departments)

MOTION: Authorize the City Manager and Clerk of the Council to execute an amendment with Recall Total Information, Inc., to adjust the scope, extend the term to 24 months, provide compensation in the amount not to exceed \$16,900 annually, for the term March 15, 2016 through March 14, 2018, with a provision for three, one-year extensions exercisable by the City Manager, subject to non-substantive changes approved by the City Manager and City Attorney.

25D. AGMT NO. 2016-041 – AMENDMENT- PAYROLL AND HUMAN RESOURCE SYSTEM SOFTWARE AND SERVICES {STRATEGIC PLAN NO. 7, 5A} - Personnel Services Agency and Information Technology Department

MOTION: Authorize the City Manager and Clerk of the Council to execute an amendment with High Line Corporation for an amount not to exceed \$60,000 for Payroll and Human Resources software maintenance, and services for a period of one year from April 1, 2016 through March 31, 2017, subject to non-substantive changes approved by the City Manager and City Attorney.

25E AGMT NO. 2016-042 - AMENDMENT - SENIOR MOBILITY PROGRAM -
{STRATEGIC PLAN NO. 5, 4B} - Parks, Recreation & Community Services
Agency

Mayor Pulido, pleased that City considering reimbursement to OCTA in the amount of \$71,000 for senior programs that are difficult to defend; important for all Cities to have same scope and service; supports amended contract.

City Manager Cavazos, audit findings from OCTA were clear; City to reimburse on April 5th.

Parks, Recreation and Community Services Agency Executive Director Mouet, for the record noted that for the integrity of the staff is that 15% miles were combination service and excursions; change of scope being considered through amended contract; check underway on April 5, 2016.

Mayor Pulido, noted that any violations may reclude City from receiving funds in the future; OCTA has already approved item; asked if staff had to return to identify funds to reimburse. Executive Director Mouet noted that funds have already been identified for reimbursement.

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement amendment with Orange County Transportation Authority (C-1-2486) to modify the scope for the Senior Mobility Program subject to non-substantive changes approved by the City Manager and City Attorney.

MOTION: Pulido

SECOND: Sarmiento

VOTE: AYES: Amezcua, Benavides, Pulido, Reyna, Sarmiento, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez (1)

25F AGMT NO. 2016-043 - OC STREETCAR DESIGN COOPERATIVE
AGREEMENT (NON-GENERAL FUND) {STRATEGIC PLAN NOS. 3, 2C, 4B, 6,
1G} - Public Works Agency

Mayor Pulido, pleased that matter on Agenda; project well underway; step in the right direction.

MOTION: Authorize the City Manager and Clerk of the Council to execute a cooperative agreement with the Orange County Transportation

Authority (C-5-3583), in the amount not to exceed \$1,493,469, for the term beginning with Orange County Transportation Authority Board approval and ending one year after the OC Streetcar Project is operational and providing service to the public as intended, for design of the OC Streetcar Project, subject to non-substantive changes approved by the City Manager and City Attorney.

MOTION: Pulido

SECOND: Amezcua

VOTE: AYES: Amezcua, Benavides, Pulido, Reyna, Sarmiento, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez (1)

- 25G. AGMT NO. 2016-044 - DONATION TO SUPPORT A BASEBALL TOURNAMENT {STRATEGIC PLAN NO. 5, 4} - Councilmember Reyna

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Santiago Little League for a one-time donation in the amount of \$1,000, subject to non-substantive changes approved by the City Manager and the City Attorney.

- 25H. AGMT NO. 2016-045 – ENTERTAINMENT FOR THE 2016 CINCO DE MAYO EVENT – Parks, Recreation & Community Services Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Bobby Nava Advertising and Entertainment Agency in the amount of \$31,500, for a term to end on May 30, 2016, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25I. AGMT NO. 2016-046 – DONATION TO SUPPORT A CITIZENSHIP FAIR {STRATEGIC PLAN NO. 5, 4} - Mayor Pro Tem Sarmiento

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with Orange County Communities Organized for Responsible Development (OCCORD) for a one-time donation in the amount of \$1,500, subject to non-substantive changes approved by the City Manager and the City Attorney.

- 25J. AGMT NO. 2016-047 – ADDITIONAL ARMORY EMERGENCY SHELTER SERVICES {STRATEGIC PLAN NO. 5, 6} – Community Development Agency

MOTION: Authorize the City Manager and Clerk of the Council to execute an agreement with the County of Orange to provide additional funds in the amount of \$99,750 to support twenty-one additional days of shelter services for the homeless at the Santa Ana National Guard Armory.

MISCELLANEOUS – BUDGET

- 29A. PAYMENT AUTHORIZATION FOR EMERGENCY ELECTRICAL AND POWER EQUIPMENT REPAIRS {STRATEGIC PLAN NO. 6, 2} – Information Technology Department

MOTION:

1. Authorize payment to ePower Network in the amount of \$56,733 for the replacement of the City's main electrical switch that services the City Hall data center and continued monitoring for the period November 28, 2015 through February 25, 2016.
2. Authorize a purchase order for ePower Network in the amount of \$11,145, for continued repair and maintenance services of the City's data center infrastructure through June 30, 2016.

- 29B. BUDGET SURPLUS ALLOCATION UPDATE {STRATEGIC PLAN NO. 5, 1} – City Manager's Office

MOTION: Receive and file.

LAND USE MATTERS

CONDITIONAL USE PERMIT/VARIANCES

- 31A. CONDITIONAL USE PERMIT NO. 2016-01 TO ALLOW A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE AT YO! SUSHI LOCATED AT 1236 WEST CIVIC CENTER DRIVE, UNIT C – ALEX WOO, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on February 22, 2016, by a vote of 6-0 (Gartner absent).

MOTION: Receive and file the staff report approving Conditional Use Permit No. 2016-01.

31B. CONDITIONAL USE PERMIT NO. 2016-02 TO ALLOW A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE AT YO! SUSHI LOCATED AT 2939 WEST EDINGER AVENUE – ALEX WOO, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on February 22, 2016, by a vote of 6-0 (Gartner absent).

MOTION: Receive and file the staff report approving Conditional Use Permit No. 2016-02.

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

BUSINESS CALENDAR ITEMS

RESOLUTIONS

55A. RESOLUTION - EXTENSION OF VARIANCE NO. 2012-07 TO ALLOW THE CONSTRUCTION OF A NEW COMMERCIAL BUILDING AT 2702 NORTH BRISTOL STREET- {STRATEGIC PLAN NO. 3, 2 - Planning and Building Agency

MOTION: Adopt a resolution.

RESOLUTION NO. 2016-020 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA FOR THE EXTENSION OF VARIANCE NO. 2012-07 FOR TWO YEARS FOR THE PROPERTY LOCATED AT 2702 NORTH BRISTOL STREET

MOTION: Sarmiento **SECOND:** Tinajero

VOTE: **AYES:** Amezcuca, Benavides, Pulido, Reyna, Sarmiento, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez (1)

ADMINISTRATIVE MATTERS – BUSINESS

60A. CHANGE IN SCOPE OF WORK FOR SANTA ANA REGIONAL TRANSPORTATION CENTER (SARTC) SURPLUS FUND ALLOCATION {SURPLUS ALLOCATION FUNDING} {STRATEGIC PLAN NO. 6, 1C} – Public Works Agency

MOTION: Approve changes in the scope of work for the \$650,000 Santa Ana Regional Transportation Center Fiscal Year 2014-15 Surplus Allocation Plan apportionment from heating, ventilation, and air conditioning system replacement to general priority deferred maintenance projects.

MOTION: Amezcua **SECOND:** Reyna

VOTE: **AYES:** Amezcua, Benavides, Pulido, Reyna, Sarmiento, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez (1)

PUBLIC HEARINGS

75A. RESOLUTION AUTHORIZING CONDEMNATION OF REAL PROPERTY AT 1415 NORTH BRISTOL STREET (APN 405-272-19) FOR BRISTOL STREET IMPROVEMENTS (PROJECT NO. 116740) (NONGENERAL FUND) - {STRATEGIC PLAN NOS. 6, 1G; 3, 2C} – Public Works Agency

Legal notice of hearing mailed to property owner on February 11, 2016.

MOTION: Table consideration of matter.

75B. RESOLUTION AUTHORIZING CONDEMNATION OF REAL PROPERTY AT 1417 NORTH BRISTOL STREET (APN 405-252-17) (FOR BRISTOL STREET IMPROVEMENTS (PROJECT NO. 116740) (NONGENERAL FUND) - {STRATEGIC PLAN NOS. 6, 1G; 3, 2C} – Public Works Agency

Legal notice of hearing mailed to property owner on February 11, 2016.

MOTION: Table consideration of matter.

75C. RESOLUTION AUTHORIZING CONDEMNATION OF REAL PROPERTY AT 1607 NOR PUBLIC HEARING – RESOLUTION AUTHORIZING CONDEMNATION OF REAL PROPERTY AT 1607 NORTH BRISTOL STREET (APN 405-252-22) FOR BRISTOL STREET IMPROVEMENTS (PROJECT NO. 116740) (NONGENERAL FUND) {STRATEGIC PLAN NO. 6,1,G & 3,2,C} - Item continued from the 3/15/16 CCM by a vote of 6-0 (Martinez absent).TH BRISTOL STREET (APN 405-252-22) FOR BRISTOL STREET IMPROVEMENTS (PROJECT NO. 116740) (NONGENERAL FUND) {STRATEGIC PLAN NOS. 6, 1G & 3, 2C} – Public Works Agency

Legal notice of hearing mailed to property owner on February 11, 2016.

MOTION: Continue consideration of matter for 30 days, at the request of staff.

MOTION: Benavides **SECOND:** Sarmiento

VOTE: **AYES:** Amezcua, Benavides, Pulido, Reyna, Sarmiento, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Martinez (1)

WORK STUDY SESSION

WSA. UPDATE ON HOMELESSNESS EFFORTS – City Manager’s Office and Community Development Agency

Program Update to Reduce Homelessness in Santa Ana, presented by City Manager, David Cavazos and Kelly Reenders, Executive Director of Community Development Agency

Funding Commitments

- Thank you to the Mayor and City Council
- Funding Commitments have included:
 - \$766,800 for the Guest House Motel Conversion
 - \$450,000 for Emergency Solutions Grant Program
 - \$400,000 in FY 2015-16 General Fund Surplus Allocation
 - \$205,500 in General Fund Unassigned
 - \$75,000 from Joint Powers Authority w/ \$75,000 from Santa Ana
 - \$1,487,400 for Santa Ana HEART Team
 - \$99,750 for Extension of Armory Emergency Shelter

OVER \$3.5 MILLION COMMITMENT OF FUNDS

- Participation on Commission to End Homelessness, Permanent Housing Committee, Continuum of Care Grant Allocation Committee

Overview of Today's Presentation

- Plan to Reduce Homelessness in the Civic Center and throughout Santa Ana
 - Create Permanent Supportive Housing
 - Incentivize Owners and Property Managers to accept homeless individuals
 - Enhance, Concentrate and Coordinate Existing Efforts
- Civic Center Homeless Count

Plan to Reduce Homelessness in the Civic Center

1. Create Permanent Supportive Housing using existing housing resources
2. Incentivize Owners and Property Managers to accept homeless individuals receiving Section 8, Rapid Rehousing, and Continuum of Care Permanent Housing funds.
3. Enhance, Concentrate and Coordinate existing nonprofit and private efforts in the Civic Center.

Create Permanent Supportive Housing

- On March 1st, City Council approved a project to create 71 new units of permanent supportive housing at the Guest House on 2151 E. 1st St.
- Equal to an investment of \$766,800 per year in existing resources.

Motel Conversion: Guest House @ 2151 E. 1st St

- 71 units for chronically homeless individuals
- Housing First approach
- Wrap-around supportive services provided on-site
- Eviction Prevention Program
- Fully furnished units

Incentivize Owners and Property Managers: Civic Center Street2Home Program

- Program involves:
 - Security deposit assistance up to twice the amount requested by landlords
 - Diversion/Relocation including transportation costs and meals during travel
 - Bridge Housing via motel vouchers
25 homeless individuals will be supported to transition out of the Civic Center

Enhance, Concentrate and Coordinate: City Net Homeless Collaborative

- Pay for Success Model: \$1,000 for every homeless individual who obtains housing from the Civic Center.
- City Net will also coordinate all services (housing, mental health, emergency services and care, nutrition) currently being provided at the Civic Center

- Contract will be forthcoming for City Council approval pending negotiation with the County
- 120 homeless individuals will be supported to transition out of the Civic Center

Enhance, Concentrate and Coordinate Pilot Mobile Check-in Center

- Homeless individuals will be able to 'check-in', lock their possessions in temporary storage containers and attend service appointments
- An investment by the City of Santa Ana of \$75,000, combined with an investment of \$75,000 from Orange County.

Enhance, Concentrate and Coordinate: Emergency Solutions Grant Funds

- Approximately \$450,000 is distributed each fiscal year to non-profit organizations for Street Outreach, Shelter, Homeless Prevention, Rapid Rehousing and Data activities.
- \$50,000 redirected from unspent FY 2014-2015 ESG funds to the Civic Center.

Other Activities

- Extension of National Guard Armory Emergency Shelter to April 15
- Feb 24th, 2016 staff organized a Mental Health First Aid training for all four Housing Authorities in the County: 40 people attended
- The City is now hosting the Civic Center Roundtable Meetings in our offices.

Civic Center Homeless Count

- 406 Individuals Counted
- (Orange County Health Care Agency, August 31, 2015)
- 369 completed a survey:
 - 43% Hispanic/Latino
 - 78% were adults 26 - 59 years of age
 - 62% homeless in the Civic Center for over one year

Annual survey data provides a benchmark and primary measurement of performance

Council discussion ensued.

Councilmember Benavides, thanked staff for comprehensive report.

Mayor Pro Tem Sarmiento, also thanked staff and City Manager for efforts; \$400,000 commitment from the City through surplus funds; HUD involved along with other County agencies; asked City Attorney if there could be preference to Santa Ana residents; all cities to contribute.

City Attorney Carvalho, noted that it depends if grant provisions apply; but can review.

Judson Brown, Housing Division Manager noted that Request for Proposal released does coordinate entry system; staff working with developer and county that referrals are from the civic center.

Mayor Pulido, noted that it is important to control population served; priority to Santa Ana residents; control unintended consequences.

Councilmember Benavides and Mayor Pulido, requested report on measurable and tangible progress; resources expended; Commission to End homelessness and County of Orange have partnered to address issue.

*Councilmember Amezcua left the meeting at 9:30 p.m. and did not return.

CITY COUNCIL RECESSED AT 9:31 P.M. TO THE HOUSING AUTHORITY MEETING AND RECONVENED THE CITY COUNCIL MEETING AT 9:32 P.M. WITH SAME MEMBERS PRESENT.

COMMENTS

90A. CITY MANAGER'S COMMENTS

- Reported that budget meetings as required by the Sunshine Ordinance are in progress.

90B. CITY COUNCILMEMBER COMMENTS

Councilmember Reyna:

- All to be safe this Easter;
- Asked all councilmembers to fill existing board and commission vacancies to avoid cancelling meetings due to lack of quorum; and
- Urged all to shop Santa Ana.

Councilmember Benavides:

- Asked residents to support local economy; important for economic development; City branding ongoing; need to invest in business retention and attraction; and
- Celebrate family this Easter.

Councilmember Tinajero:

- Congratulated Godinez High School soccer team for winning CIF championship, asked staff to schedule recognition; and
- Wished all a happy St. Patricks Day.

Mayor Pro Tem Sarmiento:

- Echoed comments on economic development; asked for consideration during budget process – healthy commerce needed to fund City services;
- Thanked Police Chief and members of the police department for handling increase in crime; ongoing effort to keep City safe; need to work with non-profits and other agencies;
- City hosting Citizenship Fair on April 9th at Southwest Senior Center; partnering with many organizations including NALEO and Public Law Center; thanked City Manager’s Office staff for outreach efforts; and
- Wished all a Happy Easter.

Mayor Pulido:

- Asked Police Chief Rojas about Proposition 47; law has significant impacts to City including increased crime; work with Public Safety Committee to develop ideas and work with other cities to lengthen prison term; requested statistics on individuals being released;
- Asked City Manager to report on how many large cities have Deputy City Manager positions; and
- Adjourned in memory of Brian Fleenor and Cipriano Ramirez.

ADJOURNED - 9:50 p.m. - The next meeting of the City Council is scheduled for Tuesday, April 5, 2016 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.

**ADJOURN IN MEMORY OF
BRIAN FLEENOR
AND
CIPRIANO RAMIREZ**


Maria D. Huizar,
Clerk of the Council

FUTURE AGENDA ITEMS

- Community Engagement Program
- Budget Approved Fiscal Year 2016-2017
- Warner Assessment District
- 2016 General Election
- Economic Development Strategic Plan
- Fireworks Options
- General Plan Update, tentatively scheduled for February 2018