

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

**NOVEMBER 15, 2016**

**CLOSED SESSION MEETING**

**CALLED TO ORDER**

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
5:08 P.M.

**ATTENDANCE**

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor  
VICENTE SARMIENTO, Mayor Pro Tem  
P. DAVID BENAVIDES  
MICHELE MARTINEZ  
ROMAN A. REYNA  
SAL TINAJERO (5:14 p.m.)

COUNCILMEMBERS Absent:  
ANGELICA AMEZCUA

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 5:08 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:
  - James Stuck v. City of Santa Ana; Workers' Compensation Appeals Board case #ADJ9863416
  - 1901 First Street Owner, LLC v. Tustin Unified School District, Orange County Superior Court Case No.: 30-2015-00803234-CU-WM-CJC

- 1901 First Street Owner, LLC v. City of Santa Ana, Orange County Superior Court Case No. 30-2016-00876616-CU-CR-CJC

2. JOINT CITY COUNCIL AND SUCCESSOR AGENCY - 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: One Matter

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8:

Address of Property: 2129 N. Main Street (APN# 003-113-81); 26,354 sq. ft. (.61 acres) Santa Ana, CA

City Negotiators: City Manager David Cavazos, and Planning and Building Agency Director Hassan Haghani

Negotiating Party: Net Development Co. President Kevin Coleman

Terms: Conditions of potential sale.

4. PUBLIC EMPLOYEE - PERFORMANCE EVALUATION 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 5:45 P.M. AND CONVENED TO THE REGULAR OPEN MEETING.**

## REGULAR OPEN MEETING

### CALLED TO ORDER

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
SANTA ANA, CA  
5:45 P.M.

### ATTENDANCE

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor  
VICENTE SARMIENTO, Mayor Pro Tem  
P. DAVID BENAVIDES  
MICHELE MARTINEZ  
ROMAN A. REYNA  
SAL TINAJERO

COUNCILMEMBERS Absent:  
ANGELICA AMEZCUA

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

### PLEDGE OF ALLEGIANCE

GIRL SCOUTS OF ORANGE COUNTY, TROOPS  
4622 AND 3713

### INVOCATION

TOM JONES, POLICE CHAPLAIN

### PRESENTATIONS

#### SPECIAL PRESENTATIONS

1. Orange County Streetcar presentation by the Orange County Transportation Authority.
2. 2016 State Legislative Update by Senator Janet Nguyen.

#### EMPLOYEE SERVICE AWARDS presented by MAYOR PULIDO to:

25 YEARS OF SERVICE

Scott D. Kutner, Community Development District  
Manager, Planning and Building Agency

**CERTIFICATES OF RECOGNITION** presented by **COUNCILMEMBER REYNA** to the Junior Girl Scouts of Orange County for earning their Inside Government Legacy badge:

Troop 3713 - Troop Leader Casey Corona and Junior Girl Scouts Malia Alford; Anila Baltazar; Natasha Berhens; Kaekoa Corona; Emily Magana; Jazzlyn Mancinas; Kayla Ortiz; and Olivia Schartz

Troop 4622 – Troop Leader Bernadette Medranda and Junior Girl Scouts Jizelle Gonzalez; Elisa Kaneko; Estrella Luna; Amanda Valdez; Ava Valadez

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

**PUBLIC COMMENTS**

- Linda Voss, representative of American Red Cross, thanked the Orange County Fire Authority, Mayor Pro Tem Sarmiento and City Council for the installation of fire alarm system at their annual event held November 5, 2016.

**PULLED AGENDA ITEM OUT OF ORDER - NOTICE OF PUBLIC HEARINGS**

\* Mayor Pulido noted conflict of interest due to proximity to family business. Mayor Pro Tem Sarmiento assumed the Chair. City Attorney Carvalho indicated that City has received legal opinion from Fair Political Practices Commission (FPPC) indicated that Mayor Pro Tem Sarmiento and Councilmember Martinez do not have a conflict of interest and may participate in the deliberation of said item.

12A. DOWNTOWN SANTA ANA BUSINESS IMPROVEMENT DISTRICT – INTENT TO LEVY ASSESSMENT FOR 2017 {STRATEGIC PLAN NO. 3, 4F} - Community Development Agency

Recommended Action approved by the Community Redevelopment and Housing Commission on October 26, 2016 by a 4-0 vote (Aguinaga and Leon abstained).

The following speakers addressed the City Council on the matter:

- Ryan Chase and Ryan Smolar, spoke in support of proposed assessment district.

Councilmember Martinez, requested annual report from designated organizations and requested more trash receptacles among other amenities for consideration.

Councilmember Benavides, expressed appreciation to associations for collaborative efforts to bring events to the Downtown area.

Mayor Pro Tem Sarmiento, asked that messaging to area residents and businesses improve; develop matrix and allocation of public funds; important to receive information from both groups – proportionality matters and justifies funding.

**MOTION:**

**1. Adopt a resolution.**

RESOLUTION NO. 2016-085 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DECLARING ITS INTENTION TO LEVY AN ASSESSMENT FOR THE DOWNTOWN SANTA ANA BUSINESS IMPROVEMENT DISTRICT FOR THE YEAR 2017

**2. Set a public hearing for Tuesday, December 20, 2016.**

**3. Approve the 2017 Assessment Report for the Downtown Santa Ana Business Improvement District (BID), which is administered by two organizations, the Santa Ana Business Council and Downtown Incorporated.**

**MOTION:** Benavides

**SECOND:** Tinajero

**VOTE: AYES:** Benavides, Martinez, Pulido, Reyna, Sarmiento, Tinajero (5)

**NOES:** None (0)

**ABSTAINED AND NOT PRESENT:** Pulido (1)

**ABSENT:** Amezcua (1)

**PUBLIC COMMENTS**

- Ilya Tsegliia, spoke on Agenda Item 25H, concerned with inmate costs and treatment of his son who is a ward of the State Public Guardian.
- Robert Tsegliia, spoke on Agenda Item 25H, spoke of brother and need for medical attention
  - City Attorney Carvalho, will meet with residents on the matter.

**CONSENT CALENDAR ITEMS**

**MOTION:** Approve staff recommendations on Consent Calendar Items 10A through 32A, with the following modifications:

- Councilmember Martinez pulled Agenda Items 22A, 23A, 23B, 25D, 25E for separate action; and dissented on Agenda Items 25J and 25K; and
- Mayor Pulido, abstained on Agenda Item 25F.

**MOTION:** Tinajero

**SECOND:** Sarmiento

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Amezcua (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 OCTOBER 18, 2016 {STRATEGIC PLAN NO. 5, 1} – Clerk of the Council Office

**MOTION:** Approve Minutes.

### NOTICE OF PUBLIC HEARINGS

12A. AGENDA ITEM CONSIDERED OUT OF ORDER

### BOARDS / COMMISSIONS / COMMITTEES

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

**MOTION:** Receive and file.

NAME

Parks, Recreation, Education & Youth Committee (Cancellation)

MEETING DATE

1/27/2016

13B. NOMINATED BY COUNCILMEMBER BENAVIDES AS THE WARD 4 REPRESENTATIVE (REGULAR) TO THE YOUTH COMMISSION FOR A PARTIAL-TERM EXPIRING DECEMBER 11, 2018 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION:** Appoint Alberto Cruz to the Youth Commission (Ward 4 resident; replacing E. Morales).

13C. NOMINATED BY COUNCILMEMBER BENAVIDES AS THE WARD 4 REPRESENTATIVE TO THE COMMUNITY REDEVELOPMENT AND HOUSING COMMISSION FOR A PARTIAL-TERM EXPIRING DECEMBER 11, 2018 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION:** Appoint David De Leon to the Community Redevelopment and Housing Commission (Ward 3 resident; replacing A. Urzua).

### **MISCELLANEOUS ADMINISTRATION**

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

**MOTION:** Approve as follow:

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

- James Stuck v. City of Santa Ana; Workers' Compensation Appeals Board case #ADJ9863416; settlement in the amount of \$200,037.39 (Pulido abstained)
- Mayor pro Tem Sarmiento abstained on two items under Closed Session.

19B. EXCUSED ABSENCES – Clerk of the Council Office

**MOTION:** Excuse the absence of Councilmember Amezcua from said meeting.

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

**MOTION:** Receive and file.

19D. QUARTERLY REPORT FOR HOUSING DIVISION PROJECTS AND ACTIVITIES JULY 2016 – SEPTEMBER 2016 {STRATEGIC PLAN NO. 5, 3} - Community Development Agency

**MOTION: Receive and file.**

- 19E. QUARTERLY REPORT OF CONTRACTS VALUED AT \$25,000 OR LESS ENTERED INTO BY THE CITY MANAGER AS PERMITTED BY CHARTER SECTION 421 (JULY 1, 2016 – SEPTEMBER 30, 2016) {STRATEGIC PLAN NO. 4, 1} - Finance and Management Services

**MOTION: Receive and file.**

- 19F. QUARTERLY REPORT OF INVESTMENTS AS OF SEPTEMBER 30, 2016 {STRATEGIC PLAN NO. 4, 1D} - Finance & Management Services

**MOTION: Receive and file.**

- 19G. PUBLIC WORKS AGENCY STATUS OF PROJECTS - MONTHLY CAPITAL IMPROVEMENT PROGRAM EXECUTIVE REPORT FOR OCTOBER 2016 {STRATEGIC PLAN NO. 5, 1} - Public Works Agency

**MOTION: Receive and file.**

- 19H. PROJECT OF THE YEAR RECOGNITION BY AMERICAN SOCIETY OF CIVIL ENGINEERS FOR BRISTOL STREET IMPROVEMENTS PROJECT PHASE 2, THIRD STREET TO CIVIC CENTER DRIVE {STRATEGIC PLAN NO. 6, 1G} - Public Works Agency

**MOTION: Receive and file.**

- 19I. REQUEST FOR PROPOSALS FOR A ZOO MASTER PLAN {STRATEGIC PLAN NO. 2, 2E} - Parks, Recreation and Community Services Agency

**MOTION: Authorize the Parks, Recreation and Community Services Agency-Zoo Division to issue a Request for Proposals to qualified companies to create a Zoo Master Plan.**

## **BUDGETARY MATTERS**

### **APPROPRIATION ADJUSTMENTS**

- 20A. APPROPRIATION ADJUSTMENT ORANGE COUNTY SLINGSHOT INITIATIVE FUNDS FOR PROGRAM YEAR 2016-17 AND AGREEMENT FOR WORKFORCE SERVICES, STRATEGIC PLANNING AND PROGRAM



DESIGN FOR THE REGIONAL LOCAL WORKFORCE DEVELOPMENT  
BOARDS {STRATEGIC PLAN NO. 2, 4} - Community Development Agency

**MOTION:**

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

APPROPRIATION ADJUSTMENT NO. 2017-054 - Recognizing Orange County Slingshot Initiative grant funds in the amount of \$500,000 in revenue account and appropriating same to expenditure account.

2. **AGMT NO. 2016-308 - Authorize the City Manager and the Clerk of the Council to execute an agreement with the County of Orange to receive \$500,000 under the Workforce Innovation Opportunity Act, for a term beginning July 1, 2016 through June 30, 2018, subject to non-substantive changes approved by the City Manager and City Attorney.**

20B.

AWARD CONTRACT FOR CONSTRUCTION OF SANTIAGO BIKE TRAIL RESURFACING FROM MAIN PLACE MALL TO EAST CITY LIMITS (PROJECT 162667) {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency and Parks, Recreation and Community Services Agency

**MOTION:**

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

APPROPRIATION ADJUSTMENT NO. 2017-052 - For Fiscal Year 2016-17 to recognize \$17,266 from prior year fund balance and appropriate the same amount into the Residential Acquisition and Development District 2 fund.

2. **Award a contract and authorize the City Manager and the Clerk of the Council to execute a construction contract to NPG, Inc., the lowest responsible bidder, in accordance with the base bid plus Additive Alternates 1 and 5, in the total amount of \$66,472, for the term beginning upon execution of the contract and ending upon project completion, for construction of the Santiago Bike Trail Resurfacing project, subject to non-substantive changes approved by the City Manager and the City Attorney.**
3. **Approve the Project Cost Analysis for a total estimated project delivery cost of \$79,766, which includes the contract base, Additive Alternates 1 and 5, administration, inspection, testing, and a \$6,647 contingency.**

20C.

THE SANTA ANA-DELHI CHANNEL DIVERSION PROJECT (PROJECT NO. 16-6467) {STRATEGIC PLAN NO. 6, 1G} - Public Works Agency

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

1. **APPROPRIATION ADJUSTMENT NO. 2017-055 – Recognizing the receipt of funds, to be deposited into the Federal Clean Water Enterprise Fund revenue account and appropriating the same into the Federal Clean Water Enterprise Fund expenditure account, from the following participating agencies in the stated amounts:**

a. Orange County Flood Control District	\$1,600,000
b. City of Newport Beach	\$1,500,000
c. Irvine Ranch Water District (design and construction only)	<u>\$195,000</u>
	<b>\$3,295,000</b>

2. **APPROPRIATION ADJUSTMENT NO. 2017-055– To carry forward a portion of the Fiscal Year 2013-14 project appropriation, in the amount of \$1,056,950 from the Federal Clean Water Enterprise Fund prior year fund balance, and appropriate the same amount into the Federal Clean Water District Fund expenditure account, to complete the City of Santa Ana’s share of the project funding.**

3. **APPROPRIATION ADJUSTMENT NO. 2017-055 – Recognizing the receipt of \$1,000,000 from the Orange County Water District, due upon filing the project Notice of Completion, to be deposited into the Federal Clean Water Enterprise Fund revenue account and, appropriating the same amount into Federal Clean Water Enterprise Fund expenditure account.**

**SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES**

22A. SPEC. NO. 16-109 - TWO ANIMAL CONTROL SERVICE TRUCKS {STRATEGIC PLAN NO. 6, 2} {SURPLUS ALLOCATION FUNDING} - Finance & Management Services

**MOTION:** Authorize a one-time purchase and payment of purchase order to Wondries Fleet Group in an amount not to exceed \$131,840 plus a contingency of \$6,590 for a total amount of \$138,430, subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Martinez                      **SECOND:** Benavides

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

**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** Amezcua (1)

22B. SPEC. NO. 16-119 - ZOO ANIMAL FOOD {STRATEGIC PLAN NO. 2, 2} - Finance and Management Services and Parks, Recreation and Community Services Agency

**MOTION:** Award a contract to Midway City Feed Co. for the term beginning December 1, 2016 through November 30, 2017, in an amount not to exceed \$35,000, with provision for four, one-year renewals exercisable by the City Manager, subject to non-substantive changes approved by the City Manager and City Attorney.

### PROJECTS/CHANGE ORDERS

23A. APPROVE CONTINGENCY INCREASE FOR THE BRISTOL STREET WATER MAIN REPLACEMENT: ALTON TO WARNER PROJECT (PROJECT NO. 146439) {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency

**MOTION:** Approve a revised Project Cost Analysis that reduces administration, testing, and inspection costs by \$120,000; and increases the contingency by the same amount from \$375,673 to \$495,673; resulting in a net zero change in the original approved construction delivery cost of \$3,255,800.

**MOTION:** Martinez                      **SECOND:** Tinajero

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Amezcua (1)

23B. AWARD CONTRACT FOR CONSTRUCTION OF THE GRANT-FUNDED BISHOP-PACIFIC-SHELTON BICYCLE BOULEVARDS (PROJECT NO. 156848) {STRATEGIC PLAN NOS. 6, 1B & 1G} - Public Works Agency

**MOTION:**

1. Award a contract and authorize the City Manager and Clerk of the Council to execute a construction contract with Excel Paving Company, the lowest responsible bidder, in accordance with the base bid in the amount of \$876,111, for the term beginning upon execution of the contract and ending upon project completion, for construction of the Bishop-Pacific-Shelton Bike Boulevards 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 construction delivery cost of \$1,095,140, which includes the construction contract, administration, inspection and testing, and \$87,612 contingency.

**MOTION:** Martinez                      **SECOND:** Benavides

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

**NOES:**                                  None (0)

**ABSTAIN:**                              None (0)

**ABSENT:**                                Amezcua (1)

**AGREEMENTS**

25A.                      AGMT NO. 2016-309 - CODIFICATION OF ORDINANCES AND ON-LINE PUBLICATION OF THE CITY CODES {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION:** Authorize the City Manager and Clerk of the Council to execute the attached agreement with Municipal Code Corporation for a three year period ending December 31, 2019 in the annual amount not to exceed \$25,000 and total aggregate amount of \$75,000, subject to non-substantive changes approved by the City Manager and City Attorney.

25B.                      AGMT NO. 2016-310 - INSTALL FIRE-RATED FIXTURES AND SECURITY DOORS AT CITY HALL EAST SIDE FLOORS 3, 4, 6 & 8 (SURPLUS FUND ALLOCATION) {STRATEGIC PLAN NO. 6, 1G} - Finance and Management Services

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with R&S Overhead Doors of So-Cal, Inc. in an amount not to exceed \$56,164, including a contingency of \$2,675 for the term of

November 15, 2016 through February 28, 2017, subject to non-substantive changes approved by the City Manager and City Attorney.

25C. ON-CALL WATER WELL PUMP AND MOTOR REHABILITATION SERVICES (NON-GENERAL FUND) {STRATEGIC PLAN NOS. 6, 1C & 1F} - Public Works Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute agreements for the three-year period beginning November 15, 2016 and expiring November 30, 2019, with provisions for a two-year renewal option exercisable by the City Manager and City Attorney, in an aggregate amount not to exceed \$400,000 annually, subject to non-substantive changes approved by the City Manager and City Attorney, with the following vendors:

1. AGMT NO. 2016-311 – With Bakersfield Well and Pump Co.,
2. AGMT NO. 2016-312 – With Weber Water Resources, LLC., and
3. AGMT NO. 2016-313 – With San Bernardino General Pump Company, Inc.

25D. AGMT NO. 2016-314 - CONDUCT A CLASSIFICATION AND COMPENSATION STUDY OF SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) CLASSIFICATIONS {STRATEGIC PLAN NO. 7, 4} - Personnel Services Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Public Sector Personnel Consultants in an amount not to exceed \$100,000 from November 15, 2016 through November 15, 2017, subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Martinez                      **SECOND:** Benavides

**VOTE:**    **AYES:**                      Benavides, Martinez, Pulido, Sarmiento, Tinajero (5)

**NOES:**                      None (0)

**ABSTAIN:**                      None (0)

**ABSENT:**                      Amezcua, Reyna (2)

25E. PLAN CHECK SERVICES {STRATEGIC PLAN NO. 3, 3} - Planning and Building Agency

**MOTION:** Authorize the City Manager and the Clerk of the Council to execute agreements with an aggregate amount not to exceed \$1,000,000, for a three year term expiring on November 15, 2019, subject to non-substantive changes approved by the City Manager and City Attorney.

1. AGMT NO. 2016-315 - With Scott Fazekas & Associates, Inc.,
2. AGMT NO. 2016-316 - With CSG Consultants, Inc.,
3. AGMT NO. 2016-317 -Century Structural Engineering Co., Inc., and
4. AGMT NO. 2016-318 – With J Lee Engineering Inc.

**MOTION:** Martinez                      **SECOND:** Benavides

**VOTE:    AYES:**                      Benavides, Martinez, Pulido, Sarmiento, Tinajero (5)

**NOES:**                                  None (0)

**ABSTAIN:**                          None (0)

**ABSENT:**                          Amezcua, Reyna (2)

25F.                      HISTORIC PROPERTY PRESERVATION AGREEMENTS {STRATEGIC PLAN NOS. 5, 2, 3} - Planning and Building Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute the attached Mills Act agreements with the below-referenced property owners for the identified structures, subject to non-substantive changes approved by the City Manager and City Attorney.

Property Owner(s)	Historic Property Preservation Agmt. No.	Address/House	Recommended Approval Vote by Historic Resource Commission on October 6, 2016
1. Herlihy Trust A-2016-319	2016-04	1816 N. Heliotrope Drive (Hillis House)	7:0
2. Troy & Kim Leaming A-2016-320	2016-05	1222 West Sharon Road (Dr. Sammy Lee House)	7:0
3. James C. Eckert	2016-07	422 West Santa Clara Ave.	7:0

Property Owner(s)	Historic Property Preservation Agmt. No.	Address/House	Recommended Approval Vote by Historic Resource Commission on October 6, 2016
A-2016-321		(Nat Neff House)	
4. Rosemary Sara Chesters A-2016-322	2016-09	2001 North Flower Street (Phillips House)	7:0
5. Jason & Jennie Blonska A-2016-323	2016-12	2036 North Victoria Drive (Leverson House)	7:0
6. Wayne Suraci & Merle Craig A-2016-324	2016-13	1924 North Ross St. (Chilson House)	6:0 (Murashie abstained)
7. Marnie Schnabel A-2016-325	2016-15	2510 North Valencia Street (Taylor-Oglesby House)	7:0
8. George Gallian A-2016-326	2016-21	327 E. Washington Ave. (Haley House)	7:0
9. Oakley William Cheney & Christine Groves Cheney A-2016-327	2016-22	2102 North Heliotrope Drive (Kinwald House)	6:0 (Murashie abstained)
10. George & Patricia Camaras A-2016-328	2016-24	2030 North Ross Street (Trawick House)	7:0
11. Duane Greenleaf A-2016-329	2016-25	2211 North Ross Street (Gantman House)	7:0
12. Carlos Lopez A-2016-330	2016-26	2527 North French Street (Schlueter House)	7:0

\*Mayor Pulido, abstained due to proximity to his residence of some of the homes designed as historic properties and Councilmember Reyna absent; motion to approve recommendation by 4-0 vote.

25G.

AWARD OF SITE LICENSE AND LEASE AGREEMENTS FOR BUS PASSENGER SERVICES AT THE SANTA ANA REGIONAL TRANSPORTATION CENTER {STRATEGIC PLAN NO. 3, 2C} - Public Works Agency

**MOTION:**

1. **AGMT NO. 2016-331 - Authorize the City Manager and Clerk of the Council to execute a site license agreement with Greyhound Lines, Inc., beginning December 1, 2016, and continuing indefinitely, subject to termination without cause by either party with seven days' notice, to compensate the City \$60,000 annually for the use of the license area of two bus bays at the Santa Ana Regional Transportation Center, subject to non-substantive changes approved by the City Manager and City Attorney.**
2. **AGMT NO. 2016-332 - Authorize the City Manager and Clerk of the Council to execute a three-year site lease agreement with Greyhound Lines, Inc., for the period beginning December 1, 2016, through November 30, 2019, with two one-year extension options exercisable by the City Manager, to compensate the City \$38,136 annually for the lease of interior office space for the provision of bus passenger services at the Santa Ana Regional Transportation Center, subject to non-substantive changes approved by the City Manager and City Attorney.**

25H. **AGMT NO. 2016-333 – AMENDMENT FOR INMATE MEDICAL SERVICES {STRATEGIC PLAN NO. 1, 3A} - Police Department**

***MOTION:* Authorize the City Manager and Clerk of the Council to execute the first amendment with Naphcare, Inc., to include a three percent cost of living adjustment in the amount of \$58,219 for the final year of the three-year term and a \$50,000 contingency, for a new total agreement amount of \$6,030,112, subject to non-substantive changes approved by the City Manager and City Attorney.**

25I. **AGMT NO. 2016-334 – AMENDMENT FOR ENGINEERING CONSULTING SERVICES FOR THE FAIRVIEW STREET BRIDGE (PROJECT NO. 156827) {STRATEGIC PLAN NO. 6, 1G} - Public Works Agency**

***MOTION:* Authorize the City Manager and Clerk of the Council to execute an amendment to the consultant agreement with WKE, Inc., and extend the term by 36 months for a new expiration date of December 1, 2019, with no changes to compensation, subject to non-substantive changes approved by the City Manager and City Attorney.**

25J. **AGMT NO. 2016-335 - APPROVE PURCHASE AGREEMENT FOR BRISTOL STREET IMPROVEMENTS, PHASE 3A (PROJECT NO. 136792, NON-GENERAL FUND) {STRATEGIC PLAN NOS. 6, 1G; 3, 2C} - Public Works Agency**

***MOTION:* Authorize the City Manager and Clerk of the Council to execute a purchase agreement with Tenant-Seller Rodolfo C. Lamas DBA Rey**



Income Tax, for tenant interest in the property located at 1111 North Bristol Street, Suite L, APN 405-274-10, for the full purchase price of said tenant-interest and goodwill (if any) in the amount of \$33,585, subject to non-substantive changes approved by the City Manager and City Attorney.

\*Councilmember Martinez dissented on Agenda item 25J.

25K. PURCHASE AGREEMENTS FOR REAL PROPERTY ACQUISITIONS FOR BRISTOL STREET IMPROVEMENTS PHASE 4 (PROJECT NO. 116741, NON-GENERAL FUND) {STRATEGIC PLAN NOS. 6, 1G; 3, 2C} - Public Works Agency

***MOTION:***

1. AGMT NO. 2016-336 – Ismael L. Cardona and Raquel Cardona for the property located at 1241 West Carlton Place (APN 015-232-11), Partial Acquisition Type, in the amount of \$2,150;
2. AGMT NO. 2016-337 – Andrew Gonzalez and Carolina Gonzalez for the property located at 1241 West Glenwood Place (APN 015-233-11), Partial Acquisition Type, in the amount of \$2,050; and
3. AGMT NO. 2016-338 – With Narciso A. Rivera and Rosa Elvira Landaverde for the property located at 1305 West Saint Anne Place (APN 408-335-17), Partial Acquisition Type, in the amount of \$10,400.

\*Councilmember Martinez dissented on Agenda item 25K.

**MISCELLANEOUS - BUDGET**

29A. DONATION AGREEMENT WITH THE SANTA ANA HIGH SCHOOL MARCHING BAND BOOSTERS TO SUPPORT SANTA ANA HIGH SCHOOL'S WINTER CONCERT {STRATEGIC PLAN NO. 5, 4} - Councilmember Amezcua

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute an agreement with the Santa Ana High School Marching Band Boosters for a one-time donation amount of \$1,000, subject to non-substantive changes approved by the City Manager and the City Attorney.

29B. DONATION AGREEMENT WITH THE SANTA ANA HIGH SCHOOL MARCHING BAND BOOSTERS TO SUPPORT SANTA ANA HIGH SCHOOL'S WINTER CONCERT {STRATEGIC PLAN NO. 5, 4} - Councilmember Reyna

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute an agreement with the Santa Ana High School Marching Band Boosters

for a one-time donation amount of \$1,000, subject to non-substantive changes approved by the City Manager and the City Attorney.

- 29C. DONATION TO SUPPORT THE SANTA ANA SENIOR CENTER ADVISORY BOARD'S THANKSGIVING CELEBRATION {STRATEGIC PLAN NO. 5, 4} - Mayor Pro Tem Sarmiento

**MOTION:** Approve a donation request from the Santa Ana Senior Center Advisory Board for a one-time donation in the amount of \$500.

## LAND USE MATTERS

### CONDITIONAL USE PERMIT/VARIANCES

- 31A. CONDITIONAL USE PERMIT NO. 2016-29 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, CONDITIONAL USE PERMIT NO. 2016-30 TO ALLOW AFTER-HOURS OPERATION UNTIL 2:00 A.M. AND CONDITIONAL USE PERMIT NO. 2016-33 TO ALLOW AN ANCILLARY BANQUET USE AT MAJESTY RESTAURANT LOCATED AT 5015 WEST EDINGER AVENUE, UNIT V - ANDY QUACH, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on October 10, 2016, by a vote of 4-0 (Alderete, Gartner, and Verino absent).

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2016-29, Conditional Use Permit No. 2016-30 as conditioned and Conditional Use Permit No. 2016-33 as conditioned.

### TENTATIVE PARCEL/TRACT MAPS

- 32A. TENTATIVE PARCEL MAP NO. 2016-03 (COUNTY MAP NO. 2015-187) TO SUBDIVIDE AN EXISTING PARCEL INTO TWO LOTS AT 2000 WEST ALTON AVENUE - JOE TRUXAW, APPLICANT {STRATEGIC PLAN NOS. 3, 2, 5} - Planning and Building Agency

**MOTION:** Confirm the Zoning Administrators action approving Tentative Parcel Map No. 2016-03 (County Map No. 2016-187) as conditioned.

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

OATH OF OFFICE ADMINISTERED TO ALBERTO CRUZ, YOUTH COMMISSION MEMBER

## BUSINESS CALENDAR ITEMS

### RESOLUTIONS

- 55A. APPROVING THE SAFE MOBILITY SANTA ANA PLAN {STRATEGIC PLAN NO. 5, 6B} – Public Works Agency

The following speakers spoke in support of the matter: Rebecca Cousins and Gil Salmon.

Staff report presentation by Fred Mousavipour, Executive Director of Public Works Agency

City Council unanimously supports Plan.

Councilmember Tinajero, thanked Councilmember Martinez for strong support and steadfast advocacy for traffic safety

Mayor Pulido, noted that some traffic studies are often counterintuitive.

***MOTION:***

- 1. Adopt a resolution.**

RESOLUTION NO. 2016-082 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AND ADOPTING THE SAFE MOBILITY SANTA ANA PLAN

- 2. Direct staff to incorporate the findings of the Safe Mobility Santa Ana Plan into the update of the City's General Plan.**

**MOTION:** Martinez                      **SECOND:** Sarmiento

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

**NOES:**                              None (0)

**ABSTAIN:**                        None (0)

**ABSENT:**                            Amezcuca (1)

- 55B. APPROPRIATION ADJUSTMENT, RESOLUTION AND AGREEMENT ACCEPTING 2016 COMMUNITY ORIENTED POLICING SERVICES (COPS)

HIRING GRANT FUNDS {STRATEGIC PLAN NO. 1, 3B; 1, 1F} - Police Department

Ilya Tsegliya and Robert Tsegliya spoke under Agenda Item 55B.

**MOTION:**

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

APPROPRIATION ADJUSTMENT NO. 2017-053 - Approve an appropriation adjustment recognizing \$1,250,000 in 2016 COPS Hiring Grant funds in revenue account, and appropriating same to expenditure account.

- 2. **Adopt a resolution.**

RESOLUTION NO. 2016-083 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO AMEND THE CURRENT ANNUAL BUDGET TO ADD TEN FULL TIME POLICE OFFICER POSITIONS IN THE POLICE DEPARTMENT.

- 3. **AGMT NO. 2016-339 - Authorize the City Manager, the Chief of Police, and Clerk of the Council to execute the U.S. Department of Justice Office of Community Oriented Policing (“COP”) Services Award Document and Award Document Supplement for the COPS Hiring Program.**

**MOTION:** Tinajero

**SECOND:** Reyna

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Amezcua (1)

**ADMINISTRATIVE MATTERS - BUSINESS**

- 65A. **ADOPT BYLAWS FOR THE WORKFORCE DEVELOPMENT BOARD (STRATEGIC PLAN NO. 2, 4A) - Adopt the bylaws for the Santa Ana Workforce Development Board. - Community Development Agency**

Workforce Development Board approved recommended action on October 27, 2016 by a vote of 13-0 (Elliot, Knitter, Lewis, McGowan, Perez, Pwinica, Rose, and Wadhera absent).

**MOTION:** Adopt the bylaws for the Santa Ana Workforce Development Board.

**MOTION:** Martinez                      **SECOND:** Tinajero

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

**NOES:**                                  None (0)

**ABSTAIN:**                          None (0)

**ABSENT:**                          Amezcua (1)

65B.                      PROVIDE DIRECTION ON REQUEST FOR PROPOSALS FOR POLICE DEPARTMENT JANITORIAL SERVICES AND APPROVE A MONTH-TO-MONTH AGREEMENT {STRATEGIC PLAN NO. 1, 3A} - Police Department

**MOTION:**

1. Include following in the Police Department's Janitorial Services Request for Proposals (RFP): Issue an RFP for Police Department janitorial services that requires all proposers to bid union wages and benefits.
2. AGMT NO. 2016-340 - Authorize the City Manager and Clerk of the Council to execute a month-to-month agreement with Santa Fe Building Maintenance for the maintenance of Santa Ana Police Department facilities, for the period beginning October 1, 2016, in the monthly amount of \$32,702.62, subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Tinajero                      **SECOND:** Reyna

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

**NOES:**                                  None (0)

**ABSTAIN:**                          None (0)

**ABSENT:**                          Amezcua (1)

## PUBLIC HEARING

75A. RESOLUTION AND ORDINANCE ADOPTING THE UPDATED CALIFORNIA AND INTERNATIONAL BUILDING AND FIRE CODES WITH AMENDMENT AND REQUISITE FINDINGS {STRATEGIC PLAN NO. 3, 3C, 5, 2C} - Planning and Building Agency

Legal Notice published in the Orange County Reporter November 4, 2016.

Mayor Pulido opened the Hearing. There were no speakers and the Hearing closed.

**MOTION:**

**1. Adopt a resolution.**

RESOLUTION NO. 2016-084 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CALIFORNIA, 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, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA ENERGY CODE, CALIFORNIA FIRE CODE, CALIFORNIA EXISTING BUILDING CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE AS AMENDED BY THE STATE OF CALIFORNIA

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

ORDINANCE NO. NS-2905 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTERS 8 AND 14 OF THE SANTA ANA MUNICIPAL CODE TO ADOPT AND AMEND THERETO THE MOST RECENTLY ENACTED CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA ENERGY CODE, CALIFORNIA FIRE CODE, CALIFORNIA EXISTING BUILDING CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE

**MOTION:** Martinez

**SECOND:** Tinajero

**VOTE: AYES:** Martinez, Pulido, Reyna, Tinajero (4)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Amezcua, Benavides, Sarmiento (3)

**RECESSED THE CITY COUNCIL MEETING TO THE SUCCESSOR AGENCY MEETING AT 8:19 P.M. AND RECONVENED THE CITY COUNCIL MEETING AT 8:20 P.M. WITH SAME MEMBERS PRESENT.**

**COMMENTS**

**PUBLIC COMMENTS** (Non-Agendized Items)

1. Laura Lucas, supports the feeding of homeless in the Civic Center area.
2. William "Billy" Leigh, presented report depicting decline in maintenance around the 2300 block of Oakmont.
3. Gil Salmon, noted that Environmental and Transportation Advisory Committee has had extensive discussion on trees; also urged the City Council to consider agendizing Ward specific elections to allow for greater representation.
4. Mario Rafaela, ASB member at Centennial Education Center, spoke in support of the center at Centennial Park.
5. Chris Schmit, spoke of contract with Chapman University regarding community policies and community outreach plan.
6. Frank Cortez, thanked the Police Chief for meeting with area residents; requested additional funding for police department to address prostitution along Harbor Blvd.
7. Cris Gomez, concerned with increased prostitution along Harbor Blvd.; seek assistance to address the issue.
8. Donahue Farrow, requested consideration for installing speaker and video system along Harbor Blvd. to curtail prostitution and illegal drug sales; also, indicated that he was falsely incarcerated.
9. Michael Jankowski, commented on increased prostitution around his neighborhood; public safety element and need for beautification efforts.
10. Ilya Tsegliia, spoke of son's condition and request assistance on matter.
11. Robert Tsegliia, echoed comments by his father, Ilya.

90A. CITY MANAGER'S COMMENTS

- Invited all to attend the upcoming Feliz Navidad event to be held in Downtown Santa Ana on Saturday, November 19<sup>th</sup>

90B. CITY COUNCILMEMBER COMMENTS

Councilmember Martinez:

- Concerned with prostitution and increased mental illness related issues along Harbor Blvd.; request reinstatement of Police Vice Unit; also, human trafficking is real problem, need to partner with appropriate agency;
- Spoke of National election and consequences to the City in light of incoming US President's administration and policy decision to eliminate

grants and federal assistance; City to prepare accordingly; City needs to be in solidarity with the residents of our community and allow them to feel safe; and

- Wished all a happy Thanksgiving, thanked staff and reflected on many blessings.

Councilmember Tinajero:

- Asked that staff consider proposal for direct election;
- Congratulated Godinez, Santa Ana and Segerstrom High Schools for football championships and all competing in second round of playoffs; and
- Reflected on election results, proud that Mayor Pro Tem Sarmiento and Councilmember Reyna stood up to Police Officers Association; highlighted changes, transparency and inclusionary changes made in the recent past; indicated that hiring of City Manager has resulted in budget surplus; supports direct Ward elections for equal representation; need to exit the jail contract; phase out of jail business and transfer positions into other departments; consider police officer schedules to add more officers out on the street.

Mayor Pro Tem Sarmiento:

- Spoke about election results and negative messaging; all councilmembers do indeed support police efforts; all politics are local regarding of national politics; will continue to support our residents
- Optimistic about the future of our community; engagement imperative;
- City waiting for election certification results; City had active Outreach effort; their vote and voice is vital to continue to move City forward; proud of efforts to date;
- Citizenship Fair taking place on November 19<sup>th</sup>; and
- Thanked supporters and wished all a blessed Thanksgiving.

Councilmember Reyna:

- Urged all to continue to conserve water;
- Encouraged all to include those less fortunate during Thanksgiving;
- Congratulated the 2<sup>nd</sup> round of playoff to the 3 high schools mentioned by Councilmember Tinajero;
- Shop in Santa Ana and invest in your community; and
- Commented on election and fabricated information; asked that voters be informed.

Councilmember Benavides:

- Spoke of surprising election results at many levels,
- Asked City Manager to bring cancellation of Immigration and Customs Enforcement (ICE) contract; and
- Consider resolution to support and protect our residents.

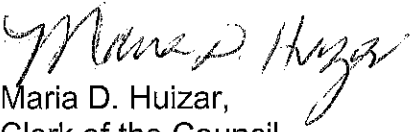
Mayor Pulido:

- Asked all to heal after the election and continue to move the City forward;



- City Council to consider bringing back programs that had to be cut in the past; and
- Thanked God for blessings; asked all to be respectful and pledge to make the City the best it can be.

**ADJOURNED** - 9:41 p.m. - The next meeting of the City Council is scheduled for Tuesday, December 6, 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.

  
Maria D. Huizar,  
Clerk of the Council

**FUTURE AGENDA ITEMS**

- Community Engagement Program
- Drone Regulations

