

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

**FEBRUARY 7, 2017**

**CLOSED SESSION MEETING**

**CALLED TO ORDER**

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

**ATTENDANCE**

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor (5:41 p.m.)  
MICHELE MARTINEZ, Mayor Pro Tem (5:14 p.m.)  
P. DAVID BENAVIDES  
VICENTE SARMIENTO  
JOSE SOLORIO  
SAL TINAJERO  
JUAN VILLEGAS

COUNCILMEMBERS Absent:  
NONE

STAFF Present:  
GERARDO MOUET, Acting City Manager  
SONIA R. CARVALHO, City Attorney  
MARIA D. HUIZAR, Clerk of the Council

Quorum was established thru presence of Councilmembers Benavides, Sarmiento, Solorio and Villegas.

**MOTION: Elect Councilmember Benavides as Chair (pursuant to SAMC 2- 101 due to unavailability of Mayor and Mayor Pro Tem).**

**MOTION:** Tinajero

**SECOND:** Sarmiento

**VOTE:**      **AYES:**      Benavides, Sarmiento, Solorio, Tinajero and Villegas (5)

**NOES:**      None (0)

**ABSTAIN:**      None (0)

**ABSENT:**      Martinez, Pulido (2)

**PUBLIC COMMENTS - None**

COUNCIL RECESSED to Room 147 for Closed Session discussion at 5:12 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:
  - Richard Marckstadt v. City of Santa Ana; Workers' Compensation Appeals Board Case Nos. ADJ8904656; ADJ8904659
  - Hank Cousine v. City of Santa Ana; Workers' Compensation Appeals Board Case No. ADJ8926744
  - Erisbed Ramirez v. City of Santa Ana, Colin Reedy, Orange County Superior Court Case No. 30-2016-00835308
  
2. CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 of the Government Code: One Item
  
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Section 54957(b)(1) of the Government Code:  
  
Title: City Attorney and Clerk of the Council

**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  
6:11 P.M.

### ATTENDANCE

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor  
MICHELE MARTINEZ, Mayor Pro Tem  
P. DAVID BENAVIDES  
VICENTE SARMIENTO  
JOSE SOLORIO  
SAL TINAJERO  
JUAN VILLEGAS

COUNCILMEMBERS Absent:  
NONE

STAFF Present:  
GERARDO MOUET, Acting City Manager  
SONIA R. CARVALHO, City Attorney  
MARIA D. HUIZAR, Clerk of the Council

### PLEDGE OF ALLEGIANCE

LAYLA HERRERA, EDGAR MENDEZ, APRIL  
NOGUERON, AND TIFFANY RUIZ -  
SCHOLARSHIP PREP CHARTER SCHOOL

### INVOCATION

RUBEN ESPONDA, POLICE CHAPLAIN

### PRESENTATIONS

**CERTIFICATE OF RECOGNITION** presented by **COUNCILMEMBER SARMIENTO** to Healthy Smiles for Kids of Orange County for the outstanding services they provide to families in Santa Ana.

**CERTIFICATES OF RECOGNITION** presented by **COUNCILMEMBER SARMIENTO** to the Student Ambassador Competition winners of the 30-Day Voter Challenge:

- Host Event/ Drive/ Rally Category:
  - Samueli Academy
    - Alyssa Lucio
    - Crystal Hernandez
    - Kassie Mulan

- Social Media Category:
  - Godinez Fundamental High School
    - Betzaira Ruiz
    - Rafael Ramirez
    - Claudia Navarrete
    - Yesireth Solís
    - Erick Orozco
  
- Video Category:
  - Godinez Fundamental High School
    - Sofia Sanchez
    - Vivian Juarez
    - Lilian Rangel
    - José Silva

**CERTIFICATES OF RECOGNITION** presented by **COUNCILMEMBER SOLORIO** to the leaders of the Santa Anita Neighborhood Association for their outstanding community service: Martha Calderon, Rodolfo Calderon, Felipe Guerrero and Orlando Quintana.

**PROCLAMATION** presented by **COUNCILMEMBER SOLORIO** to HPO Embroidery in recognition of their 15-Year Anniversary.

**PROCLAMATION** presented by **COUNCILMEMBER TINAJERO** in recognition of National School Counselor Week February 6-10.

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

**PUBLIC COMMENTS** – None

**CONSENT CALENDAR ITEMS**

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

- Mayor Pro Tem Martinez pulled Agenda items 19F, 25D, 25F and 31A for separate action;
- Councilmember Solorio pulled Agenda Item 25F and 25G for separate action; and
- Councilmember Sarmiento pulled Agenda Item 25D for separate action.

**MOTION:** Martinez

**SECOND:** Tinajero

**VOTE: AYES:** Benavides, Martinez, Pulido, Sarmiento, Solorio, Tinajero, Villegas (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

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 JANUARY 17, 2017 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION:** Approve Minutes.

### BOARDS / COMMISSIONS / COMMITTEES

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

**MOTION:** Receive and file.

<u>NAME</u>	<u>MEETING DATE</u>
Parks, Recreation, Education & Youth Committee (Cancellation)	1/23/2016
Public Safety and Neighborhood Improvement Committee (Cancellation)	1/24/2016

13B. NOMINATED BY COUNCILMEMBER SOLORIO AS THE WARD 3 REPRESENTATIVE TO THE BOARD ENVIRONMENTAL AND TRANSPORTATION ADVISORY COMMITTEE FOR A FULL-TERM EXPIRING DECEMBER 15, 2020 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION:** Appoint Bruce T. Bauer to the Environmental and Transportation Advisory Committee (Ward 3 resident; replacing D. Oregel).

13C. NOMINATED BY COUNCILMEMBER TINAJERO AS THE WARD 6 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 Gary Woods to the Community Redevelopment and Housing Commission (Ward 6 resident; replacing M. Schauer).**

13D. NOMINATED BY COUNCILMEMBER VILLEGAS AS THE WARD 5 REPRESENTATIVE TO THE HISTORIC RESOURCES COMMISSION FOR A FULL-TERM EXPIRING DECEMBER 15, 2020 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION: Appoint Tim Rush to the Historic Resources Commission (Ward 2 resident; replacing E. Murashie).**

13E. NOMINATED BY COUNCILMEMBER VILLEGAS AS THE WARD 5 REPRESENTATIVE TO THE COMMUNITY REDEVELOPMENT AND HOUSING COMMISSION FOR A FULL-TERM EXPIRING DECEMBER 15, 2020 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

**MOTION: Appoint Angie R. Cano to the Community Redevelopment and Housing Commission (Ward 6 resident; replacing T. Leon).**

#### **MISCELLANEOUS ADMINISTRATION**

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

**MOTION: Approve as follow:**

1. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:
  - Richard Marckstadt v. City of Santa Ana; Workers’ Compensation Appeals Board Case Nos. ADJ8904656; ADJ8904659; Settlement in the amount of \$62,929.64 approved by 6-0 vote (Pulido absent).
  - Hank Cousine v. City of Santa Ana; Workers’ Compensation Appeals Board Case No. ADJ8926744; Settlement in the amount of \$135,178.21 approved by vote of 5-1 (Martinez dissented).
  - AGMT NO. 2017-028 - Erisbed Ramirez v. City of Santa Ana, Colin Reedy, Orange County Superior Court Case No. 30-2016-00835308; settlement in the amount of \$85,000 6-0 vote (Pulido absent)
2. CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to paragraph (2) or (3) of

subdivision (d) of Section 54956.9 of the Government Code: One Item – Motion to File an Appeal of the Personnel Board, by Tinajero, seconded by Martinez and approved by 4-3 vote (Pulido, Solorio and Villegas dissented).

19B. EXCUSED ABSENCES – None

19C. QUARTERLY REPORT OF INVESTMENTS AS OF DECEMBER 31, 2016 {STRATEGIC PLAN NO. 4, 1D} - Finance and Management Services

**MOTION:** Receive and file.

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

Community Redevelopment and Housing Commission approved recommended action on January 25, 2017 by a vote of 6-0.

**MOTION:** Receive and file.

19E. PUBLIC WORKS AGENCY STATUS OF PROJECTS - MONTHLY CAPITAL IMPROVEMENT PROGRAM EXECUTIVE REPORT FOR JANUARY 2017 {STRATEGIC PLAN NO. 5, 1} - Public Works Agency

**MOTION:** Receive and file.

19F. NONPROFIT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION PROCESS FOR FISCAL YEAR 2017-2018 TO IMPROVE LOW TO MODERATE-INCOME NEIGHBORHOODS, ELIMINATE BLIGHT AND CREATE A MORE STABLE ECONOMIC BASE {STRATEGIC PLAN NO. 5, 4} - Community Development Agency

Matter continued from the January 17, 2016 City Council meeting by a vote of 6-0 (Sarmiento absent).

**MOTION:** Receive and file.

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

**VOTE: AYES:** Benavides, Martinez, Pulido, Sarmiento, Solorio, Tinajero, Villegas (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

- 19G. CONTINUE ITEM: COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR-ENDED JUNE 30, 2016 {STRATEGIC PLAN NO. 4, 1} - Finance and Management Services

Matter continued from the December 20, 2016 City Council meeting by a vote of 7-0. Matter continued from the January 17, 2017 City Council meeting by a vote of 6-0 (Sarmiento absent).

**MOTION:** Continue matter to the February 21, 2017 City Council meeting at the request of staff.

## BUDGETARY MATTERS

### SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

- 22A. SPEC. NO. 16-139 - CONTRACT AWARD FOR TWO COMPRESSED NATURAL GAS (CNG) HEAVY DUTY HAULING TRUCKS {STRATEGIC PLAN NO. 6, 2} (Public Works Agency) - Finance and Management Services

**MOTION:** Authorize a one-time purchase and payment of purchase order to Los Angeles Truck Centers, LLC, in the amount of \$360,050 plus a five percent contingency of \$18,000, for a total amount not to exceed \$378,050, subject to nonsubstantive changes approved by the City Manager and City Attorney.

- 22B. SPEC. NO. 16-132 - CONTRACT AWARD FOR TWO POLARIS GEM ELECTRIC UTILITY VEHICLES {STRATEGIC PLAN NO. 6, 2} - Finance and Management Services

**MOTION:** Authorize a one-time purchase and payment of purchase order to Electric Car Sales and Service in an amount not to exceed \$39,155 plus a contingency of \$1,175 for a total amount of \$40,330, subject to non-substantive changes approved by the City Manager and City Attorney.

### PROJECTS/CHANGE ORDERS



- 23A. AWARD CONTRACT FOR THE BOMO KORAL PARK SIDEWALK RENOVATIONS (PROJECT NO. 16-2671) {STRATEGIC PLAN NO. 6, 1C} - Public Works Agency; and Parks, Recreation and Community Services Agency

***MOTION:***

1. Award a contract and authorize the City Manager and the Clerk of the Council to execute a construction contract to Golden State Constructors, the lowest responsible bidder, in accordance with the base bid plus Additive Alternates 1, 2, 3, and 4, in the total amount of \$71,099, for the term beginning upon execution of the contract and ending upon project completion, for construction of the Bomo Koral Sidewalk Renovations project, subject to non-substantive changes approved by the City Manager and the City Attorney.
2. Approve the Project Cost Analysis for a total estimated project delivery cost of \$133,900, which includes the contract base, Additive Alternates 1, 2, 3, and 4, administration, inspection, testing, and a \$52,136 contingency, to capitalize on competitive unit prices and implement additional improvements.

**AGREEMENTS**

- 25A. CONTINUE ITEM: PROVIDE COMMUNITY ORIENTED POLICING SURVEY {STRATEGIC PLAN NO. 1, 1A} - Police Department

***MOTION:*** Continue matter to the February 21, 2017 City Council meeting at the request of staff.

- 25B. AGMT NO. 2017-014 - ANNUAL SOFTWARE MAINTENANCE AND SUPPORT FOR THE POLICE DEPARTMENT'S AUTOMATIC VEHICLE LOCATION SYSTEM {STRATEGIC PLAN NO. 1, 5A} - Police Department

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute a one-year amendment with GeoSpatial Technologies, Inc., for the period of December 16, 2016 through December 15, 2017, in an amount of \$20,898 plus a \$5,000 contingency for a total not to exceed amount of \$25,898, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25C. APPROVED LIST OF COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING – GRANT FUNDED {STRATEGIC PLAN NO 5, 3} - Community Development Agency

At its regular meeting on December 28, 2016, by a vote of 7-0 the Community Redevelopment and Housing Commission recommended that the City Council and Housing Authority approve the recommended actions.

**MOTION:**

1. **Certify Jamboree Housing Corporation, American Family Housing and Mercy House as Community Housing Development Organizations and place these entities on the Approved List of Community Housing Development Organizations as prequalified to apply for a set-aside of up to \$504,550 in HOME Investment Partnerships Program funds for up to a three-year term from March 1, 2017 to February 29, 2020.**
2. **Authorize the City Manager and the Clerk of the Council to enter into agreement(s) with the Approved List of Community Housing Development Organizations after a project is or projects are submitted by the prequalified entities and approved by staff, subject to non-substantive changes approved by the City Manager and City Attorney.**
  - AGMT NO. 2017-015 – Jamboree Housing Corporation
  - AGMT NO. 2017-016 – American Family Housing
  - AGMT NO. 2017-017 – Mercy House

25D. **INCLUSIONARY HOUSING AGREEMENT IN THREE PHASES FOR THE HERITAGE VILLAGE APARTMENTS LOCATED AT 2001 E. DYER ROAD {STRATEGIC PLAN NO. 5, 3B} - Community Development Agency**

Councilmember Sarmiento, motioned to continue matter for 2 weeks, seconded by Councilmember Tinajero. Motion withdrawn to allow for deliberation of item following Agenda Item 80A since they are associated.

25E. **AS-NEEDED INFORMATION TECHNOLOGY PROFESSIONAL SERVICES {STRATEGIC PLAN NO. 7, 2D} - Information Technology Department**

**MOTION:** Authorize the City Manager and Clerk of the Council to execute seven information technology professional services agreements with the firms listed below, each for a one (1) year term expiring February 6, 2018 with the potential for three one-year renewal terms, exercisable by the City Manager and the City Attorney, for a total aggregate amount for all seven consultants, not-to-exceed \$3,000,000 annually and \$12,000,000 over the life of the agreements if all extensions are utilized, subject to non-substantive changes approved by the City Manager and City Attorney:

1. AGMT NO. 2017-018 – With The Comdyn Group, Inc.
2. AGMT NO. 2017-019 - With Bunnell Enterprises (dba Total Network Solutions)
3. AGMT NO. 2017-020 - With The Ryte Professionals, Inc.

4. AGMT NO. 2017-021 - With Scienta Consulting Group, Inc.
5. AGMT NO. 2017-022 - With Sierra Cybernetics, Inc.
6. AGMT NO. 2017-023 - With Softmaster, Inc.
7. AGMT NO. 2017-024 - With Stelarum Studios, Inc.

25F. AGMT NO. 2017-025 - COOPERATIVE AGREEMENT FOR THE USE OF RIGHT-OF-WAY FOR THE OC STREETCAR PROJECT (NON-GENERAL FUND) {STRATEGIC PLAN NOS. 3, 2C, 4B; 6, 1G} - Public Works Agency

Mayor Pro Tem Martinez, requested coordination with Orange County Transportation Authority or any other agency that impacts infrastructure projects.

**MOTION:** Authorize the City Manager and Clerk of the Council to execute Cooperative Agreement No. C-6-1433 with the Orange County Transportation Authority for the term beginning on the effective date of this agreement for a period of 50 years, subject to nonsubstantive changes approved by the City Manager and City Attorney.

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

**VOTE:**    **AYES:**                      Benavides, Martinez, Pulido, Sarmiento, Solorio, Tinajero, Villegas (7)

**NOES:**                                  None (0)

**ABSTAIN:**                              None (0)

**ABSENT:**                                None (0)

25G. AGMT NO. 2017-026 - AUTOMATED PARKING CITATION PROCESSING SERVICES {STRATEGIC PLAN GOAL NO. 1, 5} - Police Department and Information Technology Department

**MOTION:** Authorize the City Manager and the Clerk of the Council to execute a three-year agreement with Data Ticket Inc., for the period of February 7, 2017 through February 6, 2020, with the option to extend the agreement for two additional one-year extensions, in the amount of \$805,431, plus an additional 10% contingency of \$80,544, in the amount of \$885,975 subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Martinez                      **SECOND:** Solorio

**VOTE:**    **AYES:**                      Benavides, Martinez, Pulido, Sarmiento, Solorio, Tinajero, Villegas (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**MISCELLANEOUS - BUDGET**

29A. DONATION AGREEMENT TO SUPPORT A BASEBALL GAME {STRATEGIC PLAN NO. 5, 4} - Councilmember Tinajero

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Jaguar Diamond Booster Club for a one-time donation amount of \$2,000, subject to non-substantive changes approved by the City Manager and the City Attorney.

29B. DONATION AGREEMENT TO SUPPORT A LEADERSHIP CONFERENCE {STRATEGIC PLAN NO. 5, 4} - Mayor Pro Tem Martinez

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Mexican-American Women's National Association of Orange County for a one-time donation amount of \$1,000, subject to non-substantive changes approved by the City Manager and the City Attorney

**LAND USE MATTERS**

**CONDITIONAL USE PERMIT/VARIANCES**

31A. CONDITIONAL USE PERMIT NO. 2016-37 TO ALLOW CONTINUED USE OF A 60-FOOT HIGH WIRELESS FACILITY FOR ATC SEQUOIA LLC AT 1441 SOUTH VILLAGE WAY - THE DERNA GROUP {STRATEGIC PLAN NOS. 3, 2, 5} - Planning and Building Agency

Planning Commission approved recommended action on January 9, 2017, by a vote of 7-0.

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2016-37 as conditioned.

**MOTION:** Tinajero                      **SECOND:** Benavides

**VOTE: AYES:** Benavides, Pulido, Sarmiento, Solorio, Tinajero, Villegas (6)

**NOES:** Martinez (1)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

31B. CONDITIONAL USE PERMIT NO. 2016-48 AND VARIANCE NO. 2016-08 TO ALLOW A MCDONALD'S RESTAURANT WITH DRIVE-THROUGH WINDOW SERVICE AT 1501 NORTH BRISTOL STREET - JESSICA STEINER, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on January 9, 2017, by a vote of 7-0.

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2016-48 as conditioned and Variance No. 2016-08 as conditioned.

31C. VARIANCE NO. 2016-09 TO ALLOW AN EXISTING FREESTANDING SIGN TO REMAIN AT A MOBIL SERVICE STATION AT 1351 EAST DYER ROAD - ULISES ARAUJO, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on January 9, 2017, by a vote of 7-0.

**MOTION:** Receive and file the staff report approving Variance No. 2016-09 as conditioned.

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

**OATH OF OFFICE ADMINISTER TO GARY WOODS AND ANGIE R. CANO APPOINTED TO THE COMMUNITY REDEVELOPMENT AND HOUSING COMMISSION**

### **BUSINESS CALENDAR ITEMS**

#### **AGENDA ITEM CONSIDERED OUT OF ORDER - REPORTS**

65C. COMMUNITY ENHANCEMENT PROGRAM GRANT AGREEMENTS AND APPROPRIATION ADJUSTMENT FOR FISCAL YEAR 2016-2017

Consideration of matter continued from the December 20, 2016 City Council meeting to the January 17, 2017 City Council meeting by a vote of 6-0 (Benavides abstained). Consideration of matter continued from the January 17, 2017 City Council meeting to the February 7, 2017 City Council meeting by a vote of 5-0 (Benavides abstained; Sarmiento absent).

The following spoke on the matter:

- Alicia Rodriguez, representing Delhi Center, urged support for their application.
- Anthony Hernandez, summer camp recipient that benefited from program at Delhi Center.
- Mary Lara, TKO Boxing advocate, expressed support for their submittal.
- John Raya, TKO Boxing, noted that program established 23 years ago to assist the youth in our community; 50% of attendees are women.
- Jose Orozco, spoke in support of TKO's submission.
- Elisabeth LeGuin, professor at UCLA and board member of Centro Cultural de Mexico, requested support of option 1B that will support 9 programs.
- John Straw, spoke in support of Centro Cultural, was board member of OCEA, grant will enable their program to impact other schools.
- Luis Sarmiento, opined that grants are an important investment in our community; consider option 1B to fund more organizations; also, does not support proposed mobile vending ordinance.
- Marcos Gutierrez, spoke of positive personal experience at TKO.
- Lori Ohls, commented that social programs in need throughout our community.
- Eleazor Diaz, parent at Kidworks supports option 1B.
- Karina Torres, supports Kidworks, and their efforts to help youth in our community; opposed to funding jails, need better options and social programs.
- Maria Contreras, spoke in support of Kidworks.
- Dr. Erlinda Martinez, Vice Chair of Kidworks board and former Santa Ana College President, urged City Council support to fund grant applications.
- Karen Gallardo, representing youth members at Kidworks; urged support.
- Teri Saydak, Centro Cultural de Mexico representative, stated that grants will develop pilot music program at various schools.
- Marcos Rodriguez, Kidworks supporter, encourage youth involved.
- Irma Mateo, Kidworks participant, opined that grants will allow organizations to benefit the whole community.
- Yosely Ocampo, Kidworks member, has participated for 10 years – has helped with confidence and assist other students.
- Evelyn Torres, Kidworks student, encouraged investments in our youth.
- Jose Arguello, Kidworks participant, need to invest in youth centers to keep children safe and off the streets.

- Ryan Smolar, proposed to run workshops for neighborhood development, supports option 1B to share funds with more organizations that will better the community.
- Paul Nagel, supports proposal.
- Leon Raya, expressed support for item and urged the City Council to approve.

Council discussion ensued.

Mayor Pro Tem Martinez, concerned with process, funding source and accounts established to allow former City Manager to have slush funds.

Francisco Gutierrez, Executive Director of Finance and Management Services, explained fund balance process.

Councilmember Solorio, asked if they are multi-year commitments, funds that had been accruing over years; process not transparent; asked about selection criteria.

Acting City Manager Mouet, indicated that they are one-time funds that resulted in contract under-costs.

Senior Management Assistant Jorge Garcia, noted that the process was similar to CDBG, but without minimums as set in federal regulations; followed procurement process; applications mailed to existing CDBG participants and non-profit organizations; applications reviewed and rated by panel that scored applications.

Councilmember Solorio, concern about current financial situation; large number of vacant positions that allow for artificial surplus; proposed merging process with that of CBDG.

Councilmember Villegas, not supportive of item until financial report provided on City's budget health.

Councilmember Tinajero, commented that 10<sup>th</sup> Amendment will protect the City against any funding raids by the Federal government; proposed Senate Bill 54 will designate California a Sanctuary State; current report ranked City as fiscally stable; need to consider pension and health care costs when increasing positions; City needs to support youth programs; also, proposed that performance pay be offered to lower police brutality cases; City spending in excess of \$6 million in the past several years to settle cases.

Councilmember Sarmiento, opined that all worthy recipients; Mayor Pro Tem Martinez comments are well received, but supports programs that will enhance social services; public safety is keeping kids safe; important to prioritize and invest in our community.

Mayor Pro Tem Martinez, noted that she has been focused on City's finances since being elected; has not been supported by Police Officers Association in the past, but has always been consistent in her position; willing to make 3-5 year commitment to fund such programs after the City reviews its fiscal health.

Councilmember Solorio, reflected on process; supports sustainable programs; CDBG has robust program that is transparent; also, noted that decorum has decreased at Council meetings - need civility.

Councilmember Tinajero, encouraged 1<sup>st</sup> Amendment rights; asked the Police Offices Association to provide incentives to decrease excessive force cases.

Mayor Pulido, supports many organizations including TKO Boxing, would like process vented by Council and be more inclusive; support multi-year commitments; proposed augmenting CDBG funding.

Councilmember Villegas, reiterated support for family and youth programs.

Councilmember Sarmiento, noted that all Councilmembers support community and social programs; suggested amended motion to establish Ad Hoc Council Committee to review process.

Mayor Pro Tem Martinez, noted that fiscal policy indicates that once reserve funds met then excess funds would be reviewed by the City Council and one-time funds would not be spent on salary; concerned with return on investment on grant funds that are only one-time funds.

Councilmember Solorio, concerned with mid-year budgets that require 5 votes in comparison with budget approval; supports augmenting CDBG funds; supports robust summer youth internship program.

***SUBSTITUTE MOTION:*** Table matter and return proposal with more transparent process.

**MOTION:** Pulido

**SECOND:** Martinez

**VOTE: AYES:** Martinez, Pulido, Villegas (3)

**NOES:** Sarmiento, Solorio, Tinajero (3)

**ABSTAIN:** Benavides (1)

**ABSENT:** None (0)

\*Motion failed.

***AMENDED ORIGINAL MOTION:*** Direct council committee or Ad Hoc committee to review proposal and make recommendations accordingly.



**MOTION:** Sarmiento

**SECOND:** Tinajero

**VOTE: AYES:** Sarmiento, Tinajero (2)

**NOES:** Martinez, Pulido, Solorio, Villegas (4)

**ABSTAIN:** Benavides (1)

**ABSENT:** None (0)

\*Motion failed and matter tabled indefinitely.

## **RESOLUTIONS**

55A. APPROPRIATION ADJUSTMENT, RESOLUTION AND AGREEMENT ACCEPTING FISCAL YEAR 2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) {STRATEGIC PLAN NO. 1, 2E, 2F, 6C} - Police Department

Mayor Pro Tem Martinez, provided SCAG report on emergency preparedness for staff review; need rediness program and appropriate funding.

### ***MOTION:***

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

APPROPRIATION ADJUSTMENT NO. 2017-083 - Recognizing \$53,246 in Emergency Management Performance Grant funds in the Law Enforcement Grants revenue account, and appropriating same to the Emergency Management Performance Grant expenditure account.

#### **2. Adopt a resolution.**

RESOLUTION NO. 2017-004 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE CITY MANAGER AND THE CHIEF OR POLICE OF HIS DESIGNEE(S) TO OBTAIN 2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT FUNDS THROUGH THE COUNTY OF ORANGE

#### **3. AGMT NO. 2017-027 - Authorize the City Manager and the Clerk of the Council to execute a one-year agreement with the County of Orange, for the period of July 1, 2016 through June 30, 2017, for the Emergency Management Performance Grant to provide assistance with state and local emergency preparedness, in an amount not to exceed \$53,246, subject to non-substantive changes approved by the City Manager and City Attorney.**

**MOTION:** Martinez

**SECOND:** Pulido

**VOTE:**    **AYES:**           Martinez, Pulido, Sarmiento, Solorio, Villegas (5)  
**NOES:**           None (0)  
**ABSTAIN:**       None (0)  
**ABSENT:**       Benavides, Tinajero (2)

55B.       RESOLUTION AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT AGREEMENTS REQUIRED BY MASTER AGREEMENT NO. 12-5063F15 TO SECURE FEDERAL-AID GRANT FUNDS {STRATEGIC PLAN NO. 6, 1G} – Public Works Agency

**MOTION:** Adopt a resolution.

RESOLUTION NO. 2017-005 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE EXECUTIVE DIRECTOR OF THE PUBLIC WORKS AGENCY TO EXECUTE ALL PROGRAM SUPPLEMENT AGREEMENTS REQUIRED BY REVISED MASTER AGREEMENT NO. 12-5063F15 WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECTS

**MOTION:** Sarmiento           **SECOND:** Pulido

**VOTE:**    **AYES:**           Martinez, Pulido, Sarmiento, Solorio, Villegas (5)  
**NOES:**           None (0)  
**ABSTAIN:**       None (0)  
**ABSENT:**       Benavides, Tinajero (2)

**REPORTS**

65A.       ANNUAL REVIEW AND APPOINTMENT OF REGIONAL BOARD REPRESENTATIVES {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

Matter continued from the December 20, 2016 City Council meeting to the January 17, 2017 City Council meeting by a vote of 7-0. Matter continued from the January 17, 2016 City Council meeting to the February 7, 2017 City Council meeting by a vote of 6-0 (Sarmiento absent).

**MOTION:**

1. Appointed the following representaives and alternates to various regional board as follow:

<b>Newport Bay Watershed Executive Committee</b>	Fred Mousavipour, Executive Director of Public Works	Representative
<b>Newport Bay Watershed Executive Committee</b>	William Galvez, Assistant Director of Public Works	Alternate
<b>OC Sanitation District *</b>	Sal Tinajero	Representative
<b>OC Vector Control District</b>	Cecilia Aguinaga	Representative
<b>Orange County Fire Authority (OFCA) *</b>	Juan Villegas	Representative
<b>Transportation Corridor Agencies (TCA) *</b>	Sal Tinajero	Representative
<b>Transportation Corridor Agencies (TCA) *</b>	Miguel Pulido	Alternate

2. Adopt a resolution designating and appointing a representative to the Orange County Fire Authority's Board of Directors; and,

RESOLUTION NO. 2017-006 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA, CALIFORNIA, REPEALING RESOLUTION NO. 2016-058 AND DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS

3. Direct the Clerk of the Council to update and post the Fair Political Practices Commission (FPPC) Form 806 (Agency Report of Public Official Appointments) on the City's website.

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

**VOTE:    AYES:**                      Benavides, Martinez, Pulido, Sarmiento, Solorio\*, Tinajero, Villegas (7)

**NOES:**                                  None (0)

**ABSTAIN:**                              None (0)

**ABSENT:**                                None (0)

\*Councilmember Solorio abstained on appointment of Transportation Corridor Agency representatives out of an abundance of caution due to his business relations.

65B. ANNUAL REVIEW OF COUNCIL COMMITTEES AND APPOINTEES  
{STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

Matter continued from the January 17, 2016 City Council meeting to the February 7, 2017 City Council meeting by a vote of 6-0 (Sarmiento absent).

Councilmember Solorio, suggested consolidating some council committees, as follow:

Standing Committees:

- Planning, Budget, and Economic Development
- Public Safety, Code Enforcement and Neighborhood Empowerment
- Parks and Recreation, Education and Youth (Joint Use with Santa Ana Unified School District)

Ad Hoc Committees:

- Housing, Development and Infrastructure
- Legislative Affairs, Ethics and Transparency

He suggested that some may be established as Ad Hoc committees until they are formalized. Expressed an interest in serving on the Public Safety and the Legislative Affairs Committee.

Mayor Pro Tem Martinez, proposed the following standing committees:

- Transportation, Infrastructure and Technology
- Legislative, Ethics and Transparency
- Public Safety
- Community Services (instead of PREY and include Joint Use with SAUSD)
- Economic Development

She expressed an interest in serving on the Transportation and the Legislative Committees.

Mayor Pulido, requested staffing allocation and cost associated with establishing said committees.

Councilmember Sarmiento, recommended that both proposals be brought back for Council consideration. Councilmember Solorio noted that some matters are urgent, thus may establish Ad Hoc committees as needed.

**MOTION:** Continue discussion of matter to the February 21, 2017 City Council meeting.

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

**VOTE:**    **AYES:**                      Benavides, Martinez, Pulido, Sarmiento, Solorio, Tinajero, Villegas (7)

**NOES:**                                  None (0)

**ABSTAIN:**                              None (0)

**ABSENT:** None (0)

65C. AGENDA ITEM CONSIDERED OUT OF ORDER

\*Mayor Pulido declared a potential conflict of interest on Agenda Item 75A, abstained and left the dais for the duration of deliberation on said item.

**PUBLIC HEARING**

75A. PUBLIC HEARING - ORDINANCE TO REGULATE MOBILE FOOD VENDING VEHICLES {STRATEGIC PLAN NO 5, 4} - Planning and Building Agency; and City Attorney's Office

Matter continued from the December 20, 2016 City Council at the request of staff.

Legal Notice published in the Orange County Reporter, Orange County Register, and La Opinion on January 27, 2017 and notices mailed to mobile vendors on January 31, 2017.

Mayor Pro Tem Martinez opened the Hearing.

The following spoke on the matter:

- Irma Macias, supports proposed ordinance; need to regulate vending vehicles.
- Alex Soriano, supports mobile vending businesses that have provided small business opportunities.
- Ricardo Cabañas, business owner, interested in learning regulations proposed.
- Hugo Muñoz, supports businesses and industry.
- José Guzman, spoke in support of mobile vendors; need to legalize mobile vending businesses like the City of Los Angeles.
- Evangeline Gawronski, spoke in support of proposed ordinance; need to inspect vehicles and regulate.
- Chris Schmit, spoke in favor of proposal; will ensure that they do not operate in neighborhoods illegally; enforce the 100 feet requirement to protect pedestrians.

There were no other speakers and the Hearing closed.

Council discussion ensued.

Mayor Pro Tem Martinez, concerned with public safety element although understand that it is vital part of our community; need to regulate and permit.

Councilmember Sarmiento, proposed a 2 week continuance.

Councilmember Benavides, suggested a 30 day continuance.

Councilmember Solorio, asked that presentation be shared with the public.

City Attorney Carvalho, provided background on the issue – nuisance, trash, public urination, illegal vending and other complaint and non-enforcement; Courts had ordered that certain sections not enforced; proposal is legal findings and not punitive but protect the safety of our community.

Councilmember Sarmiento, need to reach out to Judge Carter and plaintiffs in previous case to avoid litigation.

Alvaro Nunez, Code Enforcement Manager presented staff report:

#### Legislative parameters

- Adopt the recommended revisions to the City's Municipal Code related to Mobile Food Vending Vehicles.
  - Repeal existing ordinance
  - Adopt New Ordinance
- City Council Direction
  - Respond to resident concerns
  - Balance stakeholders Input with State and County Pre-requisites
  - Upgrade regulations to current case-law and sustain legal challenge
  - Address Public safety issues
  - Compliance with Orange County Health standards
  - Address joint use of private & public property
  - Trash and litter accumulation
  - Unsanitary Conditions

#### Legislative History

- 1994 – City adopted ordinance to regulate mobile vending
- 1997 – Court injunction to cease enforcement of the regulations due to non-conformance with State Regulations
- Legislative History
- 2004/05 – City adopted new regulations
- 2006 – Ordinance challenged in both State and Federal Court
  - State Superior Court issued injunction to cease enforcement of:
    - Hours of operation
    - Requirement to move every 90 minutes
    - Revocation of City permits
- Federal District Court issued a Temporary Restraining Order prohibiting enforcement of all aspects of the ordinance.

#### Role of mobile vending in the community

- Provides close access to food and other convenience items in dense neighborhoods
- Easily accessible to those without transportation
- Sometimes extend credit for purchases

- Can act as “eyes on the street” due to their continual presence
- Mostly Community Businesses

#### Common Neighborhood Concerns

1. Concentration of vending vehicles on neighborhood streets
2. Mid-block pedestrian crossings to reach trucks
3. Overnight parking in residential zones
  - a. Vehicles not returning to commissaries
  - b. Vendors taking up limited parking spaces
  - c. Late night operation
4. Parking too close to intersections and driveways – blocks visibility at crosswalks and sidewalks
5. Public urination
6. Failure to comply with Orange County Health standards
7. Tables and chairs blocking sidewalks or set up on the road
8. Damage to parkways; Trash and litter accumulation

#### Guiding Principles in Proposed Ordinance

- Clarify regulations/update to reflect current practice and eliminate outdated provisions
  - In Conformance with State & Case-law
  - Public Safety Findings
- Survey surrounding cities regarding regulations
- Simplify permitting and regulation requirements
- Allow multiple mobile vendors to vend on private property at special events

#### Public Agencies Coordination

- Planning & Building Agency
- City Attorney’s Office
- Santa Ana Police Department
- Public Works Agency
- County of Orange Health Care Agency/Environmental Health
- Community Development Agency/Downtown Office

#### California Vehicle Code - CVC -22455

- Sets forth regulations for legal vending
- Allows vending in residential zones
- Requires high threshold -- Public Safety Findings to
  - Prohibit mobile vending in residential zone
  - Amend requirements regulating time and manner of vending
  - Provide distance requirements between mobile vehicles and brick and mortar establishments. \*

\*Case-Law prohibits this type of ordinance as restraint of trade and unconstitutional.

#### Proposed ordinance in adherence to State Law

- Allows for vending on private property through Land Use Certificate and/or special event permit

- Conforms with the California Retail Food Code and County of Orange Health Care Agency/Environmental Health
  - Requires a restroom facility when vending in excess of one hour at a location
  - Prohibits overnight storage outside of an approved commissary.
- Prohibits vending within one hundred (100) feet of a crosswalk.
- Prohibits vending in any manner which blocks or impedes vehicular access to any driveway or restricts movement of other vehicles upon any public or private street.
- Prohibits vending on main arterials (35 mph)
- Prohibits items in the public right of way
- Prohibits vending within five hundred (500) feet from a school, park, community center or public playground facility.
- Prohibits additional lighting/signs or amplified sound other than that required by the California Vehicle Code.
- Requires vending vehicles to be equipped with refuse containers within a fifty (50)-foot radius of the vehicle.

Food Vending zones

- City Council Recommendation
- Similar to other jurisdictions
  - Sacramento
  - San Diego
  - Portland
  - Chicago
- Recommendation part of the current city-wide General Plan Amendment.

**AMENDED ORIGINAL MOTION: Continue consideration of matter to the March 7, 2017 City Council Meeting.**

**MOTION:** Sarmiento

**SECOND:** Benavides

**VOTE: AYES:** Benavides, Martinez, Sarmiento, Solorio, Tinajero, Villegas (6)

**NOES:** None (0)

**ABSTAIN:** Pulido (1)

**ABSENT:** None (0)

**JOINT SESSION OF THE CITY COUNCIL AND THE HOUSING AUTHORITY**

80A. CITY OF SANTA ANA CONDITIONAL LOAN AGREEMENT AND HOUSING SUCCESSOR AGENCY LOAN AGREEMENT WITH AMCAL MULTI-HOUSING, INC. FOR THE FIRST STREET APARTMENTS PROJECT; AND



APPROPRIATION ADJUSTMENTS FOR THE LOAN AGREEMENTS  
{STRATEGIC PLAN NO. 5, 3C}

At its regular meeting on January 25, 2017, by a vote of 6-0 the Community Redevelopment and Housing Commission recommended that the City Council and Housing Authority approve the recommended actions.

The following spoke on the matter:

- Isuri Ramos, representing the Kennedy Commission, supports project and recommendation.
- Ana Urzua, spoke in support of proposal, project will provide tangible benefits for the renters in our community and allow for dignified living conditions.
- Apolonio Cortés, member of SACReD, supports better living conditions; renters spend more than 50% of their salaries on housing costs.
- Joese Hernandez, supports mobile food vendors and goes hand in hand with Sanctuary City; supports AMCAL project and affordable housing; need to protect all community residents.
- Cesar Covarrubia, Executive Director of Kennedy Commission, opined that City needs to leverage state grants and invest in our community.

Councilmember Sarmiento, would like to hear from Heritage and AMCAL developers to provide background and context as to proposed project.

Mario Turner, representing AMCAL, provided support letters for the record.

Ryan Olgunik, Heritage Project developer, indicated that they vetted AMCAL project and community benefits; noted that Keyser Marsten reviewed the fiscal feasibility.

Councilmember Sarmiento, noted that Planning Commission approved and City Council committed to project in April of 2016; motion to approve item as recommended.

Mr. Turner, stated that project has community support; tax credits needed to complete project; AMCAL owns the land; project in Housing Element area which is designated affordable housing site; commit to approve in March or July for tax credits.

Councilmember Solorio, concerned with timing of project and pending tax reform that may have detrimental effects on project; requested comparable subsidy information to evaluate this project; supports continuance of item to evaluate all information and make determination.

Councilmember Villegas, concerned that commitment to project will now allow City to fully leverage funds.

Councilmember Benavides, pleased with units proposed and amenities offered; concerned with the amount of money the City is committing to the project; tying

a market rate project with an affordable housing project has had issues (conflicts with timing) but project is needed; questioned developer of Heritage project about permit fee payments and timing.

Mr. Olgunick, confirmed that permits and fees being processed with the cities of Tustin and Irvine.

Councilmember Benavides, asked that if matter approved would be able to fund other projects.

Robert Cortez, Deputy City Manager, noted that it appears City is able to provide assistance with other low income project; Keyser Marsten is doing a gap analysis on other projects.

Councilmember Tinajero, supports project; noted that proposed project will serve low income residents; Motion to continue matter, seconded by Councilmember Solorio.

***SUBSTITUTE MOTION: Continue consideration of matter to obtain further information.***

**MOTION:** Tinajero

**SECOND:** Solorio

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Villegas (1)

\*Mayor Pro Tem Martinez left at 10:15 p.m. and did not return.

25D. INCLUSIONARY HOUSING AGREEMENT IN THREE PHASES FOR THE HERITAGE VILLAGE APARTMENTS LOCATED AT 2001 E. DYER ROAD {STRATEGIC PLAN NO. 5, 3B} - Community Development Agency

Deliberation of matter done in conjunction with Agenda Item 80A.

Councilmember Sarmiento, asked if delay would impact affordable housing project.

City Attorney Carvalho, indicated that staff recommendation would allow the City to accept the funds from the developer, thus continuance would not affect the AMCAL project.

Mr. Olgunik, noted that he would be providing deposit in 4-6 weeks.

Councilmember Sarmiento, supports consideration of AMCAL and Heritage project together since there is a nexus.

**MOTION: Continue consideredation of matter to the February 21, 2017 City Council Meeting.**

**MOTION:** Sarmiento

**SECOND:** Tinajero

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

**NOES:** Solorio (1)

**ABSTAIN:** None (0)

**ABSENT:** Martinez (1)

### **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. DIRECT STAFF TO PREPARE A RESOLUTION CONDEMNING PRESIDENT TRUMP'S ANTI-IMMIGRANT EXECUTIVE ORDERS ON: WITHHOLDING FUNDS FROM SANCTUARY CITIES AND BARRING CERTAIN IMMIGRANTS AND REFUGEES FROM PREDOMINANTLY MUSLIM COUNTRIES FROM ENTERING THE COUNTRY - Councilmembers Benavides and Tinajero

The following spoke on the matter:

- Asmaa Ahmed, policy advocate for Greater Los Angeles Chapter, supports resolution.
- Hugo Ivan Salazar, Labor Federation representative, supports initiative; opposed to any efforts to divide our community and immigrants throughout.
- Khalil Dewji, supports all immigrants and minority that stand together in opposition to US President's orders.
- Shabnam Dewji, supports proposal that will set the tone for other communities to follow; stand in unity with all that have been discriminated.
- Naseer Shariff, request ordinance that will oppose Presidential Orders.
- Rashad Al-Dabbagh, Director of Arabic Civic Counsel, decedent of refugees and supports item opposed to bigoted Order.
- Masih Fouladi, noted that Court of Appeal and Federal Courts have ruled on order and released a Stay; in favor of resolution.

Councilmember Benavides, thanked speakers for support; President's Executive Orders are divisive and perpetuate racism; read statement by Senator McCain who is a Republican against Order.

Councilmember Tinajero, read poetic message about being vigilant and speak up for justice.

Councilmember Sarmiento, expressed practical support for item; need to partner with organizations and provide resources.

City Attorney Carvalho, noted that she will be meeting with community members and offer legal services.

Councilmember Solorio, may need an Ad Hoc Committee to review matter and other legislative issues; need strong immigrant rights office.

Councilmember Villegas, supports our Country; opined that we need to focus on City affairs and allow the courts to rule on matter.

Mayor Pulido, opined that matter may have ramifications; Councilmember Villegas concurred.

**MOTION: Direct staff to prepare resolution for City Council consideration.**

**MOTION:** Tinajero                      **SECOND:** Benavides

**VOTE:    AYES:**                      Benavides, Sarmiento, Solorio, Tinajero (4)

**NOES:**                              Pulido, Villegas (2)

**ABSTAIN:**                          None (0)

**ABSENT:**                          Martinez (1)

\*Councilmember Sarmiento left the meeting at 10:53 and did not return.

**ADJOURNED THE JOINT MEETING AT 10:54 P.M. AND CONVENED THE HOUSING AUTHORITY MEETING; FOLLOWED BY SUCCESSOR AGENCY MEETING AT 10:54 P.M. P.M.; RECONVENED THE CITY COUNCIL MEETING AT 10:55 P.M. WITH SAME MEMBERS PRESENT.**

### COMMENTS

#### PUBLIC COMMENTS

- Albert Castillo, spoke on recent police shooting.
- James Kendrick, supports City going back to former CDBG process; opined that social programs are investment in community and address public safety.
- Hugo Munoz, concerned with police shooting; tragic loss.

- Alexis Nava Teodoro, thanked Councilmember Sarmiento who wrote letter of support to Attorney General on deportation issues; Councilmember Tinajero testified in Sacramento on the matter; also upset about recent police shooting.
- Angel Casas, demand justice for Steve Salgado who was shot by Santa Ana Police Officer; train our officers and protect our families.
- Isabel Macedo, mother of victim, request justice; Mr. Salgado left 2 young children.
- Nancy Salgado, sister of victim, upset about brother's death.
- Theo Hirsch, supports education programs instead of additional public safety programs.
- Karen Palmerin, demand justice for victim of police shooting; education needed.
- Jesse Naranjo, request police accountability.
- Ilya Tseglin, spoke of son who is in need to assistance.
- Robert Tseglin, echoed comments by his father, Ilya.
- Joese Hernandez, supports community engagement, many speakers were here for the first time; need reform.
- Nali Hutzil, spoke out against police brutality.
- Madeleine Spencer, reminded all that some councilmembers almost allowed City to file for bankruptcy; supports the Community Enhancement program and continuing matter that would provide low incoming housing and community oriented policing survey.

#### 90A. CITY MANAGER'S COMMENTS

- Acting City Manager Mouet, highlighted Lorenia Jimenez and Christian Contreras who are adult and youth success stories.

#### 90B. CITY COUNCILMEMBER COMMENTS

Councilmember Tinajero:

- Congratulated the wrestling team at Santa Ana High School for championship; ranked 3<sup>rd</sup> in Orange County and top 40 in State;
- Noted that Sean Mill has been appointed to the City of Riverside Planning Commission; and
- Noted that City Council had spirited discussion and debate on a number of issues, but all advocate for the benefit of the greater the community.

Councilmember Solorio:

- Need to partner with SAUSD and business community to explore internship and summer employment programs and high speed wifi services;
- Met with Chamber of Commerce Board on internship programs;
- Supports open data platform and offer more information and services on-line such as number of officer involved shooting, crime statistics; requested updated on incident; body cameras how many and information on pilot program and roll out;
- Prop 47 grant funding for divergent program; intervention youth programs needed;

- Ryan Smolar effort to restore Chicano murals; supports efforts on block walls; and
- Thanked colleagues for productive meeting.

Councilmember Benavides:

- Expressed disappointment that agenda item that would serve the youth the community was not approved by the majority of the City Council.

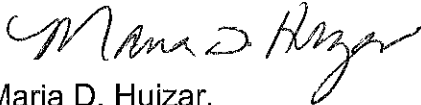
Mayor Pulido:

- CDBG and youth investments needed; and
- Wilshire Square Neighborhood example should be copied – grow ivy to deter graffiti; and increase prevention efforts.

Councilmember Villegas:

- Indicated that the death of Mr. Salgado was a tragedy and District Attorney's Office is investigating matter.

**ADJOURNED** - 11:46 p.m. - The next meeting of the City Council is scheduled for Tuesday, February 21, 2017 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