

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

**APRIL 4, 2017**

**CLOSED SESSION MEETING**

**CALLED TO ORDER**

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
5:15 P.M.

**ATTENDANCE**

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor  
MICHELE MARTINEZ, Mayor Pro Tem  
P. DAVID BENAVIDES  
VICENTE SARMIENTO (5:17 P.M.)  
JOSE SOLORIO  
SAL TINAJERO (5:20 P.M.)  
JUAN VILLEGAS

COUNCILMEMBERS Absent:  
None (0)

STAFF Present:  
GERARDO MOUET, Acting 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 5:15 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:

Alan Berg v. City of Santa Ana; Workers' Compensation Appeals Board case #ADJ10325231

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 Case
  
3. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6(a):  
  
Agency Negotiators: Personnel Services Executive Director, Ed Raya  
  
Employee Organizations: Santa Ana Police Officers Association (POA)
  
4. PUBLIC EMPLOYEE APPOINTMENT, EMPLOYMENT, EVALUATION OF PERFORMANCE, DISCIPLINE, OR DISMISSAL/RELEASE OF A PUBLIC EMPLOYEE OR TO HEAR COMPLAINTS OR CHARGES BROUGHT AGAINST THE EMPLOYEE BY ANOTHER PERSON OR EMPLOYEE UNLESS THE EMPLOYEE REQUESTS A PUBLIC SESSION pursuant to Section 54957(b)(1) of the Government Code:  
  
Title: Acting/City Manager

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

**ADJOURNED THE CLOSED SESSION MEETING AT 6:58 P.M. AND CONVENED TO THE REGULAR OPEN MEETING.**

## REGULAR OPEN MEETING

### CALLED TO ORDER

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
SANTA ANA, CA  
7:07 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 (0)

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

### PLEDGE OF ALLEGIANCE

MAYOR PULIDO

### INVOCATION

JACK ABELEN, POLICE CHAPLAIN

### PRESENTATIONS

**CERTIFICATE OF RECOGNITION** presented by **COUNCILMEMBER SOLORIO** to the Te-Kenjutsu-Kan Karate-Do Organization for their outstanding contributions to the community.

**CERTIFICATE OF RECOGNITION** presented by **COUNCILMEMBER BENAVIDES** to Brian and Vanessa Peterson for their creative art to support and touch the lives of the homeless community.

**CERTIFICATES OF RECOGNITION** presented by **COUNCILMEMBER TINAJERO** to the coordinators of the Mini-Townsend Resource Fair for their outstanding contributions to the community: Sonia Audelo; Maria Davlos; Patty Davalos; Roberto Garcia; Lilia Gil; Sandra Gil; Alicia Lucero; Mauricio A. Manzanarez; Elizabeth Martinez; Rosa Erica Martinez; Teodoro Mendoza; Helen O'Sullivan; Marina Ramirez; Anna Reynoso; Maribel Robles; Omar Vasquez.

**PUBLIC COMMENTS**

- Cynthia P., spoke on Agenda Item 25F; raised concerns on gentrification.
- James Kendrick, spoke on Agenda Item 25C and 25F, expressed concern with maintenance of Downtown and questioned whether OC Streetcar project will be postponed due to halt on federal funding for sanctuary cities.
- Ilya Tseglin and Robert Tseglin, spoke on Agenda Item 13A and 25A.

**CONSENT CALENDAR ITEMS**

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

- Mayor Pro Tem Martinez pulled Agenda Items 19D, 25H and 25I for separate action.

**MOTION:** Benavides

**SECOND:** Martinez

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Solorio (1)

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

**ADMINISTRATIVE MATTERS**

**MINUTES**

10A. MINUTES FROM THE REGULAR MEETING OF MARCH 21, 2017  
{STRATEGIC PLAN NO. 5, 1} – Clerk of the Council Office

***MOTION:*** Approve Minutes.

## BOARDS / COMMISSIONS / COMMITTEES

- 13A. APPOINTMENT OF COUNCILMEMBER SOLORIO TO LEGISLATIVE AFFAIRS, ETHICS AND TRANSPARENCY COUNCIL COMMITTEE - Clerk of the Council Office

**MOTION:** Appoint Councilmember Solorio to the Legislative Affairs, Ethics and Transparency Council Committee.

- 13B. APPOINTMENT OF LABOR REPRESENTATIVE TO THE SANTA ANA WORKFORCE DEVELOPMENT BOARD FOR A PARTIAL-TERM EXPIRING MAY 31, 2020 {STRATEGIC PLAN NO 5, 1} - Community Development Agency

Workforce Development Board approved recommended action on March 16, 2017, by a vote of 13-0 (Claudio, Lewis, McGowan, Perez, Piwnica, Ray, and Ruiz absent)

**MOTION:** Approve the appointment of Priscilla Luviano with United Food and Commercial Workers Local 324 to represent organized labor on the Santa Ana Workforce Development Board (replacing Gilbert Davila).

## MISCELLANEOUS ADMINISTRATION

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

**MOTION:** Approve settlement as follow:

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code: Alan Berg v. City of Santa Ana; Workers' Compensation Appeals Board case #ADJ10325231; approved in the amount of \$33,000 by a 5-0 vote (Sarmiento and Tinajero abstained)

- 19B. EXCUSED ABSENCES – NONE

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

**MOTION:** Receive and file.

- 19D. REGIONAL AND UNIFIED LOCAL WORKFORCE PLAN FOR FISCAL YEAR - 2020 {STRATEGIC PLAN NO 2, 4} - Community Development Agency

Mayor Pro Tem Martinez, need to address barriers such as housing, transportation and skills gap; request consideration for a project labor agreement ad hoc committee.

**MOTION:**

1. Approve the Regional and Unified Local Plan for FY 2017 through 2020 and submit to the California Workforce Development Board and State of California Employment Development Department.
2. Authorize the Mayor, City Manager and Clerk of the Council to sign all documents necessary for the submission of the Regional and Unified Local Plan.
3. Authorize staff to make necessary revisions to the Regional Plan and Unified Local Plan to address any public comments received that disagree with the Regional Plan and the Unified Local Plan and as requested by the California Workforce Development Board and the State of California Employment Development Department.

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

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES**

- 22A. SPEC. NO. 17-029 - OFFICE SUPPLIES {STRATEGIC PLAN NO. 7, 5E} – (City Attorney Office; Clerk of the City Council; Community Development Agency; Parks, Recreation and Community Services Agency; Personnel Services Agency; Planning and Building Agency; Police Department and Public Works Agency) - Finance and Management Services

**MOTION:** Award a contract to Office Depot for a two-year period expiring March 31, 2019, with provisions for three one-year renewal options exercisable by the City Manager, in an annual amount not to exceed \$175,000, subject to non-substantive changes approved by the City Manager and City Attorney.

**PROJECT/CHANGE ORDER**

- 23A. AWARD CONTRACT FOR CONSTRUCTION OF GRANT-FUNDED TRAFFIC SIGNAGE UPGRADE (PROJECT NO. 156833) {STRATEGIC PLAN NOS. 6, 1B & 1G} - Public Works Agency

***MOTION:***

1. Authorize the City Manager and Clerk of the Council to award and execute a construction contract to Myers and Sons Hi-Way Safety, Inc., the lowest responsible bidder, in accordance with the base bid plus Additive Alternate 1, in the amount of \$169,450, for the term beginning upon execution of the contract and ending upon project completion, for the Traffic Signage Upgrade 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 \$211,813, which includes the contract bid amount, administration, inspection and testing, and an authorized contingency of \$16,945.

**AGREEMENTS**

- 25A. AGMT NO. 2017-059 - SPECIAL LEGAL COUNSEL SERVICES RELATED TO POLICE LITIGATION AND PERSONNEL SERVICES - City Attorney's Office and Personnel Services Agency

***MOTION:*** Authorize the City Manager and the Clerk of the Council to execute an agreement with Manning & Kass Ellrod Ramirez Trester, LLP, for a two-year term for a maximum amount to be spent of \$350,000 subject to non-substantive changes approved by the City Manager and the City Attorney.

- 25B. AGMT NO. 2017-060 - DEVELOPMENT OF A ZOO MASTER PLAN {STRATEGIC PLAN NO. 2, 2E} - Parks, Recreation and Community Services Agency

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute an agreement with CLR Design in an amount not-to-exceed \$196,515, which includes a 10% contingency, for a term of April 4, 2017 to December 31, 2017, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25C. AGMT NO. 2017-061 – AMENDMENT TO PRESSURE WASHING SERVICES IN THE CIVIC CENTER {STRATEGIC PLAN NO. 6, 1B} - Parks, Recreation and Community Services Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an amendment with Superior Property Services by increasing the scope and agreement amount by \$76,680 for the remaining agreement period of April 1, 2017 through December 31, 2017 for a total annual amount of \$195,315, which includes a 20% contingency, subject to non-substantive changes approved by the City Manager and the City Attorney.

- 25D. AGMT NO. 2017-062 - CONSULTING ARCHITECTURAL DESIGN SERVICES FOR THE SANTIAGO PARK GAS HOUSE AREA DEVELOPMENT PROJECT (PROJECT NO. 15-2645) {STRATEGIC PLAN NO. 6, 1G} - Public Works Agency; and Parks, Recreation and Community Services Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with David Volz Design for a two-year term beginning April 5, 2017, and expiring on April 4, 2019, with the option for the City to grant up to two one-year renewal options exercisable by the City Manager and the City Attorney, in the total amount not to exceed \$225,019, which includes a 10 percent contingency for additional design analysis in the amount of \$20,456, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25E. AGMT NO. 2017-063 - AMENDMENT TO OC STREETCAR DESIGN COOPERATIVE AGREEMENT (NON-GENERAL FUND) {STRATEGIC PLAN NOS. 3, 2C, 4B; 6, 1G} - Public Works Agency

Mayor Pulido, commented on Agenda Items 25E and 25F; could establish an overlay to capture revenue.

**MOTION:** Authorize the City Manager and Clerk of the Council to execute a first amendment to Cooperative Agreement No. C-5-3583 with the Orange County Transportation Authority, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25F. AGMT NO. 2017-064 - COOPERATIVE REIMBURSEMENT AGREEMENT FOR THE CONSTRUCTION OF THE OC STREETCAR PROJECT (PROJECT 17-6766) (NON-GENERAL FUND) {STRATEGIC PLAN NOS. 3, 2C, 4B; 6, 1G} - Public Works Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute a Cooperative Agreement No. C-6-1516 with the Orange County Transportation Authority, whereby the City will be reimbursed up to \$1,500,000 for staff labor to provide construction inspection and support for the OC Streetcar Project, for the term beginning with construction until one year past the beginning of revenue service, subject to non-substantive changes approved by the City Manager and City Attorney.



25G. APPROVE THE PURCHASE AND SALE AND THE LIGHT POLE LICENSING AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON FOR THE PURCHASE OF SOUTHERN CALIFORNIA EDISON OWNED STREETLIGHTS (NON-GENERAL FUND) {STRATEGIC PLAN NO. 6, 1C} – Public Works Agency

**MOTION:**

1. AGMT NO. 2017-065 - Authorize the City Manager and Clerk of the Council to execute a Purchase and Sale Agreement authorizing the acquisition of approximately 7,800 streetlights by the City of Santa Ana from Southern California Edison, subject to non-substantive changes approved by the City Manager and City Attorney.
2. AGMT NO. 2017-066 - Authorize the City Manager and Clerk of the Council to execute a Light Pole License Agreement for wireless attachment between the City of Santa Ana and Southern California Edison, subject to non-substantive changes approved by the City Manager and City Attorney.

25H. AGMT NO. 2017-067 - GEOGRAPHIC INFORMATION SYSTEM DATA SERVICES TO PROVIDE AND MAINTAIN LANDBASE DATA, DIGITAL ORTHOPHOTOGRAPHY, AND ACCESS TO A CLOUD-BASED MAP-VIEWING APPLICATION {STRATEGIC PLAN NO. 6, 1G} - Public Works Agency and Information Technology Department

Mayor Pro Tem Martinez and Councilmember Solorio, expressed support for open data platform.

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Digital Map Products for the three-year term beginning April 16, 2017, and ending April 15, 2020, with the option to extend for an additional two-year term exercisable by the City Manager and the City Attorney, in an amount not to exceed \$100,000 in the first year and \$85,000 per year subsequent years of the agreement, for a total amount not to exceed \$440,000, including the optional extension, subject to non-substantive changes approved by the City Manager and City Attorney.

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

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento (1)

25I. CONTRACT AWARD TO INSTALL ENERGY-EFFICIENT LIGHTING FIXTURES AND CONTROLS AND EXECUTE AGREEMENT FOR ON-BILL FINANCING LOAN (SPEC. NO. 16-117) {STRATEGIC PLAN NO. 4, 3D AND 6, 2A} - Finance and Management Services and Police Department

Mayor Pro Tem Martinez, need to explore options to capture revenue as we become energy efficient / green.

**MOTION:**

1. Authorize a one-time purchase and payment of purchase order to Express Energy Services to provide and install advanced energy-efficient lighting fixtures and controls at the McFadden Learning Center/PAAL Center in an amount not to exceed \$49,068.36 which includes \$10,000 in contingency, subject to non-substantive changes approved by the City Manager and City Attorney.
2. AGMT NO. 2017-068 - Authorize the City Manager and Clerk of the Council to execute an agreement with Southern California Edison (SCE) to provide a \$41,821.70 no-interest On-Bill Financing loan and \$7,246.66 in incentives to fund Spec. No. 16-117 subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Martinez

**SECOND:** Pulido

**VOTE: AYES:**

Benavides, Martinez, Pulido, Solorio, Tinajero, Villegas (6)

**NOES:**

None (0)

**ABSTAIN:**

None (0)

**ABSENT:**

Sarmiento (1)

**MISCELLANEOUS - BUDGET**

29A. DONATION AGREEMENT TO SUPPORT THE SANTA ANITA NEIGHBORHOOD ASSOCIATION {STRATEGIC PLAN NO. 5, 4} - Councilmember Tinajero

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Charitable Ventures of Orange County Inc. for a one-time donation amount of \$1,000, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

29B. DONATION AGREEMENT TO SUPPORT THE WILSHIRE SQUARE NEIGHBORHOOD ASSOCIATION {STRATEGIC PLAN NO. 5, 4} – Mayor Pulido

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Charitable Ventures of Orange County Inc. for a one-time donation amount of \$500, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

29C. DONATION AGREEMENT TO SUPPORT THE WILSHIRE SQUARE NEIGHBORHOOD ASSOCIATION {STRATEGIC PLAN NO. 5, 4} - Mayor Pro Tem Martinez

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Charitable Ventures of Orange County Inc. for a one-time donation amount of \$500, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

29D. DONATION AGREEMENT TO SUPPORT FUTURE COLLEGE STUDENTS {STRATEGIC PLAN NO. 5, 4} - Councilmember Villegas

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Santa Ana College Foundation for a one-time donation amount of \$2,000, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

29E. DONATION TO SUPPORT HOMELESS VETERAN STAND UP EVENT {STRATEGIC PLAN NO. 5, 4} - Councilmember Villegas

**MOTION:** Approve a donation request from OneOC for a one-time donation amount of \$1,000.

29F. DONATION AGREEMENT TO SUPPORT THE SANTA ANITA NEIGHBORHOOD ASSOCIATION {STRATEGIC PLAN NO. 5, 4} - Councilmember Solorio

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Charitable Ventures of Orange County Inc. for a one-time donation amount of \$300, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

- 29G. DONATION AGREEMENT FOR PREVENTION AND ACTION IN HEALTH AND WELFARE TO SUPPORT A 5K WALK TO PROMOTE HEALTH {STRATEGIC PLAN NO. 5, 4} - Councilmember Benavides

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Latino Center for Prevention & Action in Health & Welfare, for a one-time donation amount of \$1,000, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

- 29H. DONATION AGREEMENT TO SUPPORT ON-GOING YOUTH PROGRAM SERVICES {STRATEGIC PLAN NO. 5, 4} - Councilmember Solerio

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with Natis House for a one-time donation amount of \$1,000, subject to nonsubstantive changes approved by the City Manager and the City Attorney.

## LAND USE MATTERS

### CONDITIONAL USE PERMIT/VARIANCES

- 31A. CONDITIONAL USE PERMIT NO. 2017-01 FOR AFTER HOURS OPERATION UNTIL 2:00 A.M., CONDITIONAL USE PERMIT NO. 2017-04 FOR AN ABC LICENSE AND CONDITIONAL USE PERMIT NO. 2017-05 TO ALLOW A BANQUET USE AT THE MCFADDEN PUBLIC MARKET RESTAURANT LOCATED AT 515 NORTH MAIN STREET - PHILLIP KWAN, APPLICANT {STRATEGIC PLAN NO. 3, 2, 4} - Planning and Building Agency

Planning Commission approved recommended action on March 13, 2017, by a vote of 6-0 (Mendoza absent).

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2017-01 as conditioned, Conditional Use Permit No. 2017-04 as conditioned and Conditional Use Permit No. 2017-05 as conditioned.

- 31B. CONDITIONAL USE PERMIT NO. 2017-07 TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION AT BLACK BEAR DINER RESTAURANT LOCATED AT 3355 SOUTH BRISTOL STREET - MICHAEL CHO, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on March 13, 2017, by a vote of 6-0 (Mendoza absent).

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2017-07.

- 31C. CONDITIONAL USE PERMIT NO. 2017-08 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION AT BUCCANEER PIZZA RESTAURANT LOCATED AT 2757 NORTH GRAND AVENUE - GREGG HANOUR, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

Planning Commission approved recommended action on March 13, 2017, by a vote of 6-0 (Mendoza absent).

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2017-08.

### **TENTATIVE PARCEL/TRACT MAPS**

- 32A. TENTATIVE PARCEL MAP NO. 2017-01 TO SUBDIVIDE ONE PARCEL INTO THREE LOTS AT 2001 WEST TRASK AVENUE – DUNG SAM, APPLICANT {STRATEGIC PLAN NO. 3, 2} - Planning and Building Agency

**MOTION:** Confirm the Zoning Administrator's action approving Tentative Parcel Map No. 2017-01 as conditioned.

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

OATH OF OFFICE ADMINISTERED BY CLERK OF THE COUNCIL TO WORKFORCE DEVELOPMENT BOARD MEMBER PRISCILLA LUVIANO

### **BUSINESS CALENDAR ITEMS**

#### **REPORT**

- 65A. AGMT NO. 2017-069 - REUSE STUDY OF THE SANTA ANA JAIL {STRATEGIC PLAN GOAL NO. 1, 5} - Police Department

The following spoke on the matter:

- Jennifer Rojas, representing the ACLU, urged the Request for Qualification (RFQ) be reissued with suggestions as proposed.
- Cynthia P., opposed to proposal and contract with Vanir; opposed to profitability of arrestees.
- Jose Elias, opposed to consideration of any detention facility at site.

- Carlos Perea, noted that when jail was built it was not intended to hold non-residents.
- James Kendrick, commented that City has successfully managed a jail since 1997.
- Hairo Cortes, concerned with contractor selected – specialty is to profit from inmates which is counter to purpose of City owned detention center.

Council discussion ensued.

Mayor Pro Tem Martinez, reuse study needs to evaluate both Type 1 and Type 2 jails if facility remains a detention facility and include clear indicators; current Type 2 not sustainable nor core service; staff to consider Cook County Mental Health program as model for potential reuse; taxpayers have been subsidizing jail.

Acting City Manager Mouet, noted that Type 1 jail is sustainable.

Councilmember Solorio, supports reuse option as suggested by Mayor Pro Tem Martinez - reentry programs to include substance abuse, mental health etc.

Councilmember Sarmiento, thanked staff for agendaizing item for Council consideration; concerned that only two firms submitted RFQ; study should be comprehensive; noted that matter has been reviewed at Council committee level.

Jorge Garcia, Senior Management Assistant, presented staff report.

Councilmember Tinajero, note that Type 2 jail not warranted; need to make decisions for public benefit; supports mental health facility as possible option.

Councilmember Benavides, concerned that only two firms submitted proposal; comprehensive review needed.

Senior Management Assistant Garcia, indicated that company has extensive experience in area.

Mayor Pulido, provided historical account of intent of jail and funding; noted that Orange County bankruptcy in 1994 had ripple effect on services provided and all cities had to reevaluate services.

Councilmember Villegas, concurred with Mayor Pulido's comments.

***FRIENDLY AMEDMENT TO MOTION: Authorize the City Manager and the Clerk of the Council to execute a one-year agreement with Vanir Construction Management, Inc., for the period of April 5, 2017 through April 4, 2018, in the amount of \$103,155, plus an additional project contingency of \$21,845, for a total not to exceed cost of \$125,000 and expand scope of service to include all options, subject to non-substantive changes approved by the City Manager and City Attorney.***

**MOTION:** Martinez

**SECOND:** Solorio

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

**NOES:** None (0)

**ABSTAIN:** Pulido (1)

**ABSENT:** Tinajero (1)

\*Mayor Pulido, abstained on vote due to prior business dealings with Vanir Construction Management, Inc.

## **PUBLIC HEARING**

75A. ISSUANCE OF TAX EXEMPT BONDS FOR THE BENEFIT OF SANTA ANA ARTS COLLECTIVE, L.P. AND RESOLUTION APPROVING THE ISSUANCE OF BONDS; TAX EQUITY AND FINANCIAL RESPONSIBILITY ACT (TEFRA) {STRATEGIC PLAN NO. 5, 3} - Community Development Agency

Legal Notice published in the Orange County Reporter on March 20, 2017.

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

### ***MOTION:***

- 1. Conduct a Tax Equity and Financial Responsibility Act (TEFRA) Hearing in consideration of the issuance of tax exempt bond financing by the California Municipal Finance Authority on behalf of the Santa Ana Arts Collective, L.P., for the benefit of for the acquisition, construction, improvement and equipping of a 58-unit affordable multifamily rental housing facility to be owned and operated by the Borrower and located at 1666 North Main Street within the City of Santa Ana.**
- 2. Adopt a resolution.**

RESOLUTION NO. 2017-014 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 TO FINANCE A 58-UNIT AFFORDABLE MULTIFAMILY RENTAL FACILITY FOR THE BENEFIT OF SANTA ANA ARTS COLLECTIVE, L.P., OR ANOTHER ENTITY TO BE FORMED BY META HOUSING CORPORATION AND/OR WESTERN COMMUNITY HOUSING, INC. (OR AN AFFILIATE OF EITHER) AND CERTAIN OTHER MATTERS RELATING THERETO

**MOTION:** Benavides

**SECOND:** Solorio

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**CITY COUNCIL MEETING RECESSED AT 9:18 P.M. TO THE HOUSING AUTHORITY MEETING AND RECONVENED AT 9:30 P.M. WITH SAME MEMBERS PRESENT.**

**COUNCIL AGENDA ITEMS**

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 ESTABLISH AN INDEPENDENT REVIEW OR CITIZEN REVIEW BOARD TO REVIEW POLICE FORCE INCIDENTS, PROCEDURES AND POLICIES AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL – Mayor Pro Tem Martinez

The following spoke on the matter:

- Jennifer Rojas, representing ACLU, support proposal and establishment of a review board.
- Roberto Herrera, expressed support for oversight board.

Council discussion ensued.

Mayor Pro Tem Martinez, thanked City Attorney for providing summary of different types of review boards; historical account of cost to the City; suggest Mayor establish an ad hoc committee to consider options and review all internal policies of the Police Department.

Councilmember Benavides, indicated that within the Sanctuary City Ordinance a provision includes creation of a Citizen Review Committee that should be evaluated in context and discussion of this proposal.

Councilmember Villegas, proposed substitute motion, seconded by Mayor Pulido to allow the Public Safety Council Committee to review proposal.

Councilmember Tinajero, noted that it was important for police officers to be held accountable; how do we better serve our community?



Councilmember Sarmiento, proposed that staff bring back to City Council as an agenda item with options, analysis, and cost.

Mayor Pulido, request data include per capita comparison and metrics.

Councilmember Solorio, noted that Public Safety Council Committee may consider; review costs; opined that open data (like Anaheim) provide use of force data; increase community policing.

City Council consensus to schedule matter as a Work Study Session in 30 days.

\*Councilmember Tinajero left the meeting at 10:13 p.m. and did not return.

## COMMENTS

### PUBLIC COMMENTS

- Alex Vega, made inaudible comments.
- Mary Lara, spoke of Isaac Gonzalez, who was shot and killed in a drive by shooting; request continued police presence in the Townsend area.
- John M. Raya, echoed comments by Ms. Lara.

### 90A. CITY MANAGER'S COMMENTS

- Acting City Manager Mouet, invited all to attend the upcoming community meeting to plan new park site on the corner of Lacy and 6<sup>th</sup> Street on Thursday, April 6<sup>th</sup> at 9 a.m. and also the groundbreaking ceremony of the Pacific Electric Park on April 15<sup>th</sup> at 10 a.m.

### 90B. CITY COUNCILMEMBER COMMENTS:

Councilmember Sarmiento:

- Opined that Federal government should not be punitive because of Sanctuary City designation; does not make us a lawless city; need to be better messengers of meaning and intention of designation; and
- Commented on senseless loss of TKO participant, Issac Gonzalez.

Mayor Pro Tem Martinez:

- Commented on recent training she attended in Tulsa, Oklahoma – public narrative.

Councilmember Solorio:

- Thanked Mary Lara and John Raya for attending meeting; great tragedy;
- Thanked Acting City Manager for budget presentations and outreach efforts and staff for efforts; and

- Echoed commented by Councilmember Sarmiento on Sanctuary City designation; suggested a Q&A on City website.

Councilmember Villegas:

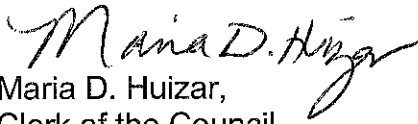
- Expressed condolences to family of Isaac Gonzalez; thanked public safety personnel.

Councilmember Benavides:

- Reflected on life of Isaac Gonzalez and request meeting be adjourned in his memory; need continued investment in our youth.

**ADJOURNED** - 10:48 P.M. - The next meeting of the City Council is scheduled for Tuesday, April 18, 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.

**Adjourned in Memory of  
Isaac Gonzalez**

  
Maria D. Huizar,  
Clerk of the Council

**FUTURE AGENDA ITEMS**

- Community Engagement Program