

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

**APRIL 18, 2017**

**CLOSED SESSION MEETING**

**CALLED TO ORDER**

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
5:33 P.M.

**ATTENDANCE**

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor  
P. DAVID BENAVIDES  
JOSE SOLORIO  
JUAN VILLEGAS

COUNCILMEMBERS Absent:  
MICHELE MARTINEZ, Mayor Pro Tem  
VICENTE SARMIENTO  
SAL TINAJERO

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 5:34 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 -- 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

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

Address of Property: Bristol Street Project Coalition Properties

- Coalition Property: 1417 N. Bristol Street, Santa Ana, CA, APN 405-252-17, Owners: Jesus Zambrano, Veronica Rosales Zambrano, and Marcelino Rosales
- Coalition Property: 1415 N. Bristol Street, Santa Ana, CA APN 405-272-19, Owner: Robert Peter Gonzales

Negotiators: Acting City Manager Mouet

Terms: Conditions of potential sale.

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)  
Service Employees' International Union (SEIU) Full-Time Employees

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

**ADJOURNED THE CLOSED SESSION MEETING AT 6:06 P.M. AND CONVENEED TO THE REGULAR OPEN MEETING.**

## REGULAR OPEN MEETING

### CALLED TO ORDER

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
SANTA ANA, CA  
6:08 P.M.

### ATTENDANCE

COUNCILMEMBERS Present:  
MIGUEL A. PULIDO, Mayor  
MICHELE MARTINEZ, Mayor Pro Tem (6:30 P.M.)  
P. DAVID BENAVIDES  
JOSE SOLORIO  
JUAN VILLEGAS

COUNCILMEMBERS Absent:  
VICENTE SARMIENTO  
SAL TINAJERO

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

### PLEDGE OF ALLEGIANCE

TEDDY MORENO, GODINEZ FUNDAMENTAL  
HIGH SCHOOL

### INVOCATION

TOM JONES, POLICE CHAPLAIN

### PRESENTATIONS

**SPECIAL PRESENTATION** - Metropolitan Water District presentation of Upcoming Projects by James Bodnar.

**SPECIAL PRESENTATION** - Orange County Transit Authority presentation of the Harbor Boulevard Transit Study presented by Andrea West.

**CERTIFICATES OF RECOGNITION** presented by **COUNCILMEMBER SOLORIO** to the leadership of Portola Park Neighborhood Association for their outstanding contributions to the community: Joel Bruce; Winston Covington; Roger Shortall; Ray Ybarra; Gilbert Zamora.

**CERTIFICATE OF RECOGNITION** presented by **COUNCILMEMBER SOLORIO** to Orange County Credit Union for their outstanding contributions to the community.

**CLOSED SESSION REPORT** – no reportable action

**PUBLIC COMMENTS**

- Alexis Nava Teodoro, spoke in opposition to Agenda Item 25A.
- Albert Castillo, opposed to Agenda Item 25H and expense of OC Streetcar project.

**CONSENT CALENADR ITEMS**

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

- Mayor Pro Tem Martinez noted that Agenda Item 11A continued and pulled Agenda Items 25A, 25C, 25G, 25I, 25J, 25K, 25L, 25M, 25O, 25P and 31A for separate discussion.

**MOTION:** Martinez

**SECOND:** Solorio

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

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 APRIL 4, 2017 {STRATEGIC PLAN NO. 5, 1} – Clerk of the Council Office

***MOTION:*** Approve Minutes.

## **ORDINANCES/SECOND READING**

In the event a Councilmember recorded an “abstention” before consideration of the following ordinance(s) on first reading, such abstention will also be reflected in the minutes for second reading.

- 11A. SECOND READING ORDINANCE: REGULATE MOBILE FOOD VENDING VEHICLES {STRATEGIC PLAN NO 5, 1} - Clerk of the Council Office  
Placed on first reading at the March 7, 2017 City Council meeting and approved by a vote of 5-0 (Pulido abstained and Sarmiento absent).

Published in the Orange County Reporter on March 10, 2017.

Matter continued from the March 21, 2017 City Council meeting by a vote of 5-0 (Martinez absent and Pulido abstained).

Councilmember Solorio, request that staff continue to discuss matter with stakeholders.

***MOTION:*** Continue consideration of matter to the May 2, 2017 City Council Meeting.

## **BOARDS / COMMISSIONS / COMMITTEES**

- 13A. AGENDA AND MINUTES FROM THE MARCH 27, 2017 COMMUNITY SERVICES CITY COUNCIL COMMITTEE {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

***MOTION:*** Receive and file.

- 13B. NOMINATED BY COUNCILMEMBER SARMIENTO AS THE WARD 1 REPRESENTATIVE TO THE YOUTH COMMISSION (REGULAR POSITION) FOR A FULL-TERM EXPIRING DECEMBER 15, 2020 {STRATEGIC PLAN NO. 5, 1} - Clerk of the Council Office

***MOTION:*** Appoint Chloe Fausto to the Youth Commission, Regular position. (Ward 1 resident, replacing M. Solorio).

## **MISCELLANEOUS ADMINISTRATION**

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

- 19B. EXCUSED ABSENCES – Clerk of the Council Office

***MOTION:*** Excuse Councilmembers Sarmiento and Tinajero from said meeting.

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

19C. STRATEGIC PLAN MONTHLY REPORT FOR MARCH 2017 {STRATEGIC PLAN NO. 5, 1} - City Manager's Office

**MOTION:** Receive and file.

## **BUDGETARY MATTERS**

### **GRANTS/APPLICATIONS**

21A. FISCAL YEAR 2017-2018 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS PROGRAM, AND EMERGENCY SOLUTIONS GRANTS PROGRAM {STRATEGIC PLAN NO. 5, 1} - Community Development Agency

Community Redevelopment and Housing Commission approved recommended action on April 5, 2014 by a vote of 5-0 (Cano and A. Garcia absent).

**MOTION:**

- 1. Approve the Fiscal Year 2017-2018 Annual Action Plan.**
- 2. Authorize the submission of the Fiscal Year 2017-2018 Annual Action Plan to the United States Department of Housing and Urban Development.**

### **SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES**

22A. SPEC. NO. 17-020 - CONTRACT AWARD FOR WATER TREATMENT CHEMICALS AND SALT {STRATEGIC PLAN NO. 6, 1C} (Public Works Agency and Parks, Recreation & Community Services Agency) - Finance and Management Services

**MOTION:**

1. **Reject the bid from Commercial Aquatic Services, Inc. as nonresponsive.**
2. **Award a contract to Waterline Technologies for a one-year period expiring April 30, 2018, with provisions for three, one-year renewal options exercised by the City Manager, in an annual amount not to exceed \$90,000, subject to non-substantive changes approved by the City Manager and City Attorney.**

22B. SPEC. NO. 16-097 – CONTRACT AMENDMENT TO PURCHASE TWO POLICE INTERCEPTOR VEHICLES {STRATEGIC PLAN NO. 6, 2} - Finance and Management Services

**MOTION:** Amend the contract with Fairway Ford Sales, Inc. in the amount of \$65,100 plus a contingency of \$3,255 for a total amount not to exceed \$68,355, subject to non-substantive changes approved by the City Manager and City Attorney.

## AGREEMENTS

25A. AGMT NO. 2017-070 - SPECIAL LEGAL COUNSEL SERVICES FOR POLICE LITIGATION DEFENSE SERVICES {STRAGIC PLAN NO. 1, 3, 4, 5} - City Attorney's Office and Personnel Services Agency,

City Attorney Carvalho, indicated that expense cap has been provided.

Mayor Pro Tem Martinez, directed staff to move forward with formal Request for Proposal process for selection of firm.

**MOTION:** Authorize the City Manager and the Clerk of the Council to execute a three year agreement, effective April 18, 2017 through April 17, 2020 for a not to exceed amount of \$3,000,000 with the law firm Carpenter, Rothans & Dumont subject to non-substantive changes approved by the City Manager and the City Attorney.

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

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

**NOES:**                              None (0)

**ABSTAIN:**                        None (0)

**ABSENT:**                        Sarmiento, Tinajero (2)

25B. AGMT NO. 2017-071 - COURT REPORTING SERVICES, LANGUAGE TRANSLATION AND TRANSCRIPTION SERVICES PERTAINING TO LITIGATION {STRATEGIC PLAN 7, 3B} - City Attorney's Office and Personnel Services Agency

**MOTION:** Authorize the Acting City Manager and the Clerk of the Council to approve an 18 month agreement with Veritext Corporation, effective July 1, 2016 through December 31, 2017, for a total not to exceed amount of \$75,000, subject to non-substantive changes approved by the City Manager and City Attorney.

25C. EMERGENCY SOLUTIONS GRANTS PROGRAM FUNDING FOR FY 2017-2018 – EMERGENCY AND TRANSITIONAL SHELTER FOR HOMELESS {STRATEGIC PLAN NO. 5, 6} - Community Development Agency

**MOTION:**

1. Approve the proposed Fiscal Year 2017-2018 Emergency Solutions Grants Program in the estimated amount of \$474,526 subject to adjustment upon notification of the Grant Year 2017 award from the U.S. Department of Housing and Urban Development.
2. AGMT NO. 2017-072 - Authorize the City Manager and the Clerk of the Council to execute a memorandum of understanding with the Santa Ana Police Department and agreements with non-profit organizations and/or sub-recipients awarded funds as part of the approved program for a term beginning July 1, 2017 through June 30, 2018, subject to non-substantive changes approved by the City Manager and City Attorney.

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

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

**NOES:**                              None (0)

**ABSTAIN:**                          None (0)

**ABSENT:**                          Samiento, Tinajero (2)

25D. IMPLEMENT A BENEFITS PLATFORM SERVICE FOR EMPLOYEE SELF-ENROLLEMENT IN BENEFIT PLANS AND SERVICES; ASSIST STAFF TO PROCESS BENEFIT AUDITS AND TRANSMIT ENROLLMENTS DIRECTLY TO BENEFIT CARRIERS {STRATEGIC PLAN NO. 7, 5A} - Personnel Services Agency and Information Technology Department



**MOTION:**

1. **AGMT NO. 2017-073 - Authorize the City Manager and Clerk of the Council to execute an agreement with Keenan & Associates for an annual amount not to exceed \$46,000 for "BenefitsBridge", a Human Resource Benefits Platform service for the period of June 1, 2017 through May 31, 2018 and shall automatically renew for subsequent one year periods unless either party gives the other at least sixty days written notice of its intent not to renew, subject to non-substantive changes approved by the City Manager and City Attorney; and**
2. **AGMT NO. 2017-074 - Authorize the City Manager and Clerk of Council to execute a business associate agreement with Keenan & Associates to supplement the "BenefitsBridge" agreement and outline each party's privacy rights and obligations under the BenefitsBridge agreement, subject to non-substantive changes approved by the City Manager and City Attorney.**

- 25E. AGMT NO. 2017-075 - AMENDMENT FOR LAWSON FINANCIAL SYSTEM MAINTENANCE, SERVICES, AND SOFTWARE LICENSES {STRATEGIC PLAN NO. 7, 5A} - Information Technology Department

**MOTION:** Authorize the City Manager and Clerk of the Council to amend the agreement with Infor (US) Inc. in an amount not to exceed \$741,533 over an approximate three-year period from April 19, 2017, through May 31, 2020, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25F. AGMT NO. 2017-076 - ACTIVITY REGISTRATION AND SITE RESERVATION SOFTWARE, INSTALLATION, AND ON-GOING MAINTENANCE AND SUPPORT {STRATEGIC PLAN NO. 5, 6C} - Parks, Recreation and Community Services Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with CivicRec for activity registration and site reservation software for the period April 19, 2017 to November 30, 2017, for installation, for a cost of \$22,000, which includes a 10% contingency, and a period of three years from December 1, 2017 to November 30, 2020 with two, one-year renewal options, for on-going maintenance and support, for a cost of 1% of transactions with an amount not-to-exceed \$15,000 per year for a total amount not-to-exceed \$97,000, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25G. AGMT NO. 2017-077 - INMATE FOOD SERVICES AND COMMISSARY {STRATEGIC PLAN NO. 1, 3A} - Police Department

**MOTION:** Authorize the City Manager and Clerk of the Council to execute a three-year agreement with Aramark Correctional Services Inc., for the period of February 1, 2017 through January 31, 2020, with the option by either party to terminate without cause upon 90 days written notice of termination in the amount not to exceed \$1,460,016, including a 15% contingency (\$197,437), subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Martinez                      **SECOND:** Pulido

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

**NOES:**                              None (0)

**ABSTAIN:**                          None (0)

**ABSENT:**                          Sarmiento, Tinajero (2)

25H.                      AGMT NO. 2017-078 - APPROVE AMENDED AND RESTATED SANTA ANA REGIONAL TRANSPORTATION CENTER (SARTC) STATION COOPERATIVE AGREEMENT (NON-GENERAL FUND) {STRATEGIC PLAN NOS. 3, 2C, 4B; 6, 1G}

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an amendment to the SARTC Station Cooperative Agreement No. C-94-859 with the Orange County Transportation Authority to incorporate provisions for the OC Streetcar, subject to non-substantive changes approved by the City Manager and City Attorney.

25I.                      ON-CALL SUBSURFACE UTILITY ENGINEERING SERVICES {STRATEGIC PLAN NO. 6, 1.C} - Public Works Agency,

**MOTION:** Authorize the City Manager and Clerk of the Council to execute agreements for a three-year period beginning April 18, 2017, and expiring April 17, 2020, in an aggregate amount not to exceed \$900,000 for the term of the contract, subject to non-substantive changes approved by the City Manager and City Attorney with the following firms:

1. AGMT NO. 2017-079 – With Cardno,
2. AGMT NO. 2017-080 – With BA Inc., and
3. AGMT NO. 2017-081 – With C Below, Inc.,

**MOTION:** Martinez                      **SECOND:** Villegas

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

**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** Sarmiento, Tinajero (2)

25J. AGMT NO. 2017-082 - APPROVE TENANT-INTEREST SETTLEMENT AGREEMENT FOR BRISTOL STREET IMPROVEMENTS PHASE 4 (PROJECT NO. 116741) (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 settlement agreement of Tenant Interest with Outfront Media, LLC, for the property located at 2115-2123 South Bristol Street (APN 015-194-20, 21, 22) and goodwill (if any), for the acquisition of a billboard in the amount of \$500,000, subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Solorio                      **SECOND:** Villegas

**VOTE: AYES:** Benavides, Pulido, Solorio, Villegas (4)

**NOES:** Martinez (1)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

25K. AGMT NO. 2017-083 - APPROVE TENANT-INTEREST 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 of Tenant Interest with Orfilda Magana, Clothing Orfi Ropa, for the property located at 1111 North Bristol Street Suite A (APN 405-274-10) and goodwill (if any), in the amount of \$11,040, subject to non-substantive changes approved by the City Manager and City Attorney:

**MOTION:** Solorio                      **SECOND:** Villegas

**VOTE: AYES:** Benavides, Pulido, Solorio, Villegas (4)

**NOES:** Martinez (1)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

25L. AGMT NO. 2017-084 - APPROVE PURCHASE AGREEMENT FOR REAL PROPERTY ACQUISITION RELATED TO BRISTOL STREET IMPROVEMENTS PHASE 4 (PROJECT NO. 116741) (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 Sergio Aparicio and Maria G. Aparicio for the real property acquisition, temporary construction easement, and goodwill (if any), for the property located at 1242 West St. Andrew Place (APN 015-232-10), for a partial acquisition, in the amount of \$2,350, subject to non-substantive changes approved by the City Manager and City Attorney:

**MOTION:** Solorio                      **SECOND:** Villegas

**VOTE: AYES:** Benavides, Pulido, Solorio, Villegas (4)

**NOES:** Martinez (1)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

25M. AGMT NO. 2017-085 - ON-CALL RIGHT-OF-WAY COORDINATING SERVICES ON GRANT-FUNDED PROJECTS (NON-GENERAL FUND) {STRATEGIC PLAN NO. 6, 1G} - Public Works Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with HDR Engineering, Inc., for a three-year term beginning April 18, 2017, and ending April 17, 2020, with provisions for one, two-year renewal option exercisable by the City Manager and City Attorney, for a total not-to-exceed amount of \$500,000, subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Solorio                      **SECOND:** Villegas

**VOTE: AYES:** Benavides, Pulido, Solorio, Villegas (4)

**NOES:** Martinez (1)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

25N. AGMT NO. 2017-086 - CONSTRUCTION ENGINEERING SERVICES FOR THE SANTA ANA-DELHI CHANNEL DIVERSION PROJECT (PROJECT NO. 16-6467) {STRATEGIC PLAN NO. 6, 1G} – Public Works Agency

**MOTION:** Authorize the City Manager and the Clerk of the Council to execute an agreement with NV5 Global, Inc., for the two-year term beginning April 18, 2017, and expiring on April 17, 2019, with provisions for a one-year extension exercisable by the City Manager and City Attorney, for a total amount not to exceed \$683,448 over the entire life of the agreement, including any renewal period, subject to non-substantive changes approved by the City Manager and City Attorney.

25O. AGMT NO. 2017-087 - PREPARATION OF A USER FEE STUDY {STRATEGIC PLAN NO. 4, 3D} - Public Works Agency; Planning and Building Agency; and Parks, Recreation and Community Services Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute a consulting services agreement with Willdan Financial Services for a two-year term beginning April 18, 2017, and ending April 17, 2019, for a total amount not to exceed \$36,000, subject to non-substantive changes approved by the City Manager and City Attorney.

**MOTION:** Martinez                      **SECOND:** Pulido

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

25P. AGMT NO. 2017-088 - PREPARE A DEVELOPMENT IMPACT FEE STUDY {STRATEGIC PLAN NO. 6, 1D} - Public Works Agency

**MOTION:** Authorize the City Manager and Clerk of the Council to execute an agreement with David Taussig and Associates for a two-year term beginning April 18, 2017, and ending April 17, 2019, to prepare a Development Impact Fee Study, for a total amount not to exceed \$55,000, subject to non-substantive changes approved by the City Manager and City Attorney.

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

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

**NOES:**                            None (0)

**ABSTAIN:**                        None (0)

**ABSENT:**                         Sarmiento, Tinajero (2)

**MISCELLANEOUS - BUDGET**

29A.            DONATION AGREEMENT TO SUPPORT THE ARTS AND LITERARY FESTIVAL {STRATEGIC PLAN NO. 5, 4} - Councilmember Benavides

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute an agreement with Santa Ana Music Boosters Foundation 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 FOR YOUTH PROGRAMS {STRATEGIC PLAN NO. 5, 4} - Councilmember Tinajero

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute an agreement with TKO Youth Foundation 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 AGREEMENT FOR THE LOVE SANTA ANA INITIATIVE {STRATEGIC PLAN NO. 5, 4} - Councilmember Tinajero

***MOTION:*** Authorize the City Manager and Clerk of the Council to execute an agreement with Templo Calvario Community Development Corporation for a one-time donation amount of \$2,000, 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. 2016-26 TO ALLOW CONTINUED USE OF A 55-FOOT TALL WIRELESS FACILITY FOR ATC SEQUOIA LLC LOCATED

AT 2961 WEST MACARTHUR BOULEVARD - GREGORY MERCIER,  
APPLICANT {STRATEGIC PLAN NOS. 3, 2, 5} - Planning and Building Agency

Planning Commission approved recommended action on March 27, 2014, by a vote of 6-0 (Alderete absent).

Mayor Pro Tem Martinez, request staff consider seismic retrofitting regulations and policy for similar projects.

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2016-26 as conditioned.

**MOTION:** Benavides           **SECOND:** Pulido

**VOTE:**   **AYES:**           Benavides, Pulido, Solorio, Villegas (4)

**NOES:**                 Martinez (1)

**ABSTAIN:**           None (0)

**ABSENT:**            Sarmiento, Tinajero (2)

31B.           CONDITIONAL USE PERMIT NO. 2017-09 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION AT ESPORTS CAFE LOCATED AT 120 WEST FIFTH STREET - TYLER ENDRES, APPLICANT {STRATEGIC PLAN NO. 3, 2, 4} - Planning and Building Agency

Planning Commission approved recommended action on March 27, 2014, by a vote of 6-0 (Alderete absent).

**MOTION:** Receive and file the staff report approving Conditional Use Permit No. 2017-09 as conditioned.

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

**BUSINESS CALENDAR ITEMS**

**RESOLUTIONS**

55A.           ADOPT A RESOLUTION AMENDING THE BASIC CLASSIFICATION AND COMPENSATION PLAN AND THE ANNUAL BUDGET FOR FISCAL YEAR 2016-2017 (FOR BACKGROUND SUPERVISOR, BACKGROUND INVESTIGATORS AND POLICE TRAINING COORDINATOR; AND ADOPT

RESOLUTION AMENDING THE BASIC CLASSIFICATION AND COMPENSATION PLAN FOR UNPRESENTED EXECUTIVE MANAGEMENT EMPLOYEES (FOR PURPOSE OF ACTING, INTERIM OR EMERGENCY CITY MANAGER COMPENSATION) {STRATEGIC PLAN NO. 1, 1; 1, 2; and 7, 6} – Personnel Services Agency

Matter tabled at the request of staff.

**REPORTS**

65A. APPROVE AMENDED AND RESTATED SOLID WASTE SERVICES AGREEMENT {STRATEGIC PLAN NO. 4, 1} - Public Works Agency

Jeff Snow, spoke on the matter.

***MOTION:*** Continue consideration of matter to a future meeting.

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

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

**NOES:**                      None (0)

**ABSTAIN:**                      None (0)

**ABSENT:**                      Sarmiento, Tinajero (2)

65B. REVIEW AND ADOPT THE 2017 FEDERAL AND STATE LEGISLATIVE PLATFORM AND 2016 SCORECARD {STRATEGIC PLAN NOS. 1, 2, 3, 4, 5, 6, 7} - City Manager's Office

***MOTION:*** Continue consideration of matter to the May 2, 2017 City Council Meeting.

**MOTION:** Martinez                      **SECOND:** Pulido

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

**NOES:**                      None (0)

**ABSTAIN:**                      None (0)

**ABSENT:**                      Sarmiento, Tinajero (2)



65C. REVISED BUDGET AND FISCAL POLICY {STRATEGIC PLAN NO 4, 1d} - Finance and Management Services

**MOTION:** Continue consideration of matter to the May 2, 2017 City Council Meeting.

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

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

**NOES:**                    None (0)

**ABSTAIN:**                None (0)

**ABSENT:**                Sarmiento, Tinajero (2)

**PUBLIC HEARINGS**

75A. ZONING ORDINANCE AMENDMENT NO. 2016-03 TO AMEND CERTAIN SECTIONS OF CHAPTER 41 OF THE SANTA ANA MUNICIPAL CODE PERTAINING TO TWO-FAMILY RESIDENCES, SITE PLAN REVIEW, DEVELOPMENT PROJECT APPROVAL, OFF-STREET PARKING AND OTHER ADMINISTRATIVE ITEMS – CITY OF SANTA ANA, 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).

Legal Notice published in the Orange County Reporter on April 7, 2017 and notices mailed on April 6, 2017

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

- Steven Lamotte, Chapter Executive Officer for the Building Industry Association, expressed support for proposed ordinance.

Mayor Pulido closed the hearing.

Council discussion ensued.

**MOTION:** Continue consideration of matter to the May 2, 2017 City Council Meeting.

**MOTION:** Martinez                    **SECOND:** Pulido

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

**NOES:**                    None (0)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

75B. AMENDMENT APPLICATION NO. 2016-05 AND CONDITIONAL USE PERMIT NOS. 2016-44 AND 2017-06 TO ALLOW A CAR WASH FACILITY AND A DRIVE-THROUGH FOR THE PROJECT LOCATED AT 2603 SOUTH MAIN STREET - LEON FELUS, 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 (Alderete absent).

Legal Notice published in the Orange County Reporter on April 7, 2017 and notices mailed on April 6, 2017

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

- Sam Barker, requested a “Do Not Block” sign at ingress of property adjacent to proposed project and commented on exhaust issues.

Mayor Pulido closed the hearing.

Council discussion ensued.

Candida Neal, Planning Manager, noted that conditions may be included in proposed resolution.

***MOTION:***

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

ORDINANCE NO. NS-2915 – ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2016-05 REZONING THE PROPERTY LOCATED AT 2603 SOUTH MAIN STREET FROM GENERAL COMMERCIAL (C-2) TO LIGHT INDUSTRIAL (M-1) (AA NO. 2016-05)

**2. Adopt a resolution as conditioned.**

RESOLUTION NO. 2017-015 – RESOLUTION OF THE CITY COUNCIL APPROVING CONDITIONAL USE PERMIT NO. 2016-44 AS CONDITIONED TO ALLOW A CARWASH FACILITY, AND CONDITIONAL USE PERMIT NO. 2017-06 AS CONDITIONED, TO ALLOW A RESTAURANT WITH DRIVE-THROUGH WINDOW SERVICE FOR THE PROPERTY LOCATED AT 2603 SOUTH MAIN STREET

**MOTION:** Solorio                      **SECOND:** Villegas

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

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Sarmiento, Tinajero (2)

75C. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FISCAL YEAR 2017-2018 {STRATEGIC PLAN NO 2,2; 2,4; 5,4; 5,6} - Community Development Agency

Community Redevelopment and Housing Commission approved recommended action on April 5, 2017 by a vote of 4-0 (Cano and A. Garcia absent; Aguinaga abstained).

Legal Notice published in the Orange County Register in English on April 6, 2017; in the Nguoi Viet newspaper in Vietnamese, on April 7, 2017; and in the La Opinion newspaper in Spanish, on April 8, 2017.

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

- Ugochi Anaebere-Nicholson, spoke in support of CDBG funding.
- Robert Oliver, noted that current proposal is less than funds awarded in previous years.
- Maria Del Carmen Avalos, spoke in support of Cambodian Family's After School Program.
- Jacqueline Pompa, expressed support for program offered at Cambodian Family.
- Vattana Peony, Executive Director of Cambodian Family, pleased with proposed funding.
- Claire Braburn, spoke in support of application submitted for consideration.
- Georgina Maldonado, representing Community Health Initiative of Orange County, spoke in favor of application submitted for consideration.

Mayor Pulido closed the hearing.

Council discussion ensued.

Councilmember Benavides, thanked all applicants; supports item as proposed.

Councilmember Solorio, proposed that all organizations should come together to address spike in crime; understand challenges and opportunities; collaborations needed; TKO boxing to collaborate with Santa Ana Unidos Boxing Youth program; proposed that next year have collaborate approach rather than competitive.

Mayor Pro Tem Martinez, thanked staff and all applicants; noted that Youth Master Plan has been approved by the City; applicants should receive a copy and tie efforts to Plan.

**MOTION:**

1. **Approve the proposed Fiscal Year 2017-2018 Community Development Block Grant Program in the estimated amount of \$5,771,317, subject to adjustment upon notification of the Grant Year 2017 award from the U.S. Department of Housing and Urban Development;**
2. **AGMTS - Direct the City Attorney to prepare and authorize the City Manager and the Clerk of the Council to execute memorandums of understanding with various city departments and agreements with nonprofit agencies awarded funds as part of the approved program, subject to funding adjustment upon notification of the Grant Year 2017 award from the U.S. Department of Housing and Urban Development and non-substantive changes approved by the City Manager and City Attorney.**

	<b>Organization Name Program</b>	<b>CRHC Recommended Application Funding</b>
1.	AGMT NO. 2017-089 - The Illumination Foundation Children's Resource Center	<b>\$75,000</b>
2.	AGMT NO. 2017-090 - America On Track Brighter Futures for Children of Prisoners	<b>\$57,000</b>
3.	AGMT NO. 2017-091 - Orange County Children's Therapeutic Arts Center Crime Prevention & Intervention for Willard Middle School Families	<b>\$67,992</b>
4.	AGMT NO. 2017-092 - Community Health Initiative of Orange County Community Health Access Program	<b>\$50,838</b>
5.	AGMT NO. 2017-093 - Boys & Girls Club of Santa Ana College Bound	<b>\$60,000</b>
6.	AGMT NO. 2017-094 - Delhi Center Teens Engaged in Learning and Leadership	<b>\$58,271</b>
7.	AGMT NO. 2017-095 - Santa Ana Unidos Boxing Youth/Neighborhood Crime Prevention Initiative	<b>\$56,250</b>
8.	AGMT NO. 2017-096 - Neutral Ground Nati's House Neutral Ground	<b>\$51,000</b>
9.	AGMT NO. 2017-097 - Big Brothers Big Sisters of Orange County Community Based Mentoring Program	<b>\$36,800</b>

10.	AGMT NO. 2017-098 - The Cambodian Family Plan Ahead Youth Program	\$49,800
11.	AGMT NO. 2017-099- WISEPlace Steps to Independence	\$36,000
12.	AGMT NO. 2017-100 - Legal Aid Society of Orange County Record Expungement	\$41,600
13.	AGMT NO. 2017-101 - Legal Aid Society of Orange County Domestic Violence	\$39,600
14.	AGMT NO. 2017-102 - Young Men's Christian Association of Orange County Financial Assistance Program	\$34,000
15.	AGMT NO. 2017-103 - ALBI Active Learning Believe and Inspire	\$55,000

	<b>Organization Name Program</b>	<b>Staff Recommendation</b>
16.	AGMT NO. 2017-104 - Orange County Fair Housing Council Inc. <i>Santa Ana Fair Housing Education, Counseling &amp; Enforcement</i> <i>**Fair housing services are not subject to the 15% public service cap. As such, Staff will be allocating \$62,241 (a 3% reduction from FY 2016-17) to align with the anticipated reduction of CDBG funds from HUD.</i>	**\$60,000

**MOTION:** Villegas

**SECOND:** Solorio

**VOTE: AYES:**

Benavides, Martinez, Pulido, Solorio, Villegas (5)

**NOES:**

None (0)

**ABSTAIN:**

None (0)

**ABSENT:**

Sarmiento, Tinajero (2)

\*Mayor Pulido left at 8:10 p.m. and did not return.

### **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. DISCUSS CURRENT AND PROPOSED STRATEGY(IES) TO ADDRESS GUN VIOLENCE AND GANG SHOOTINGS, AND DIRECT STAFF ACCORDINGLY – Mayor Pro Tem Martinez

The following spoke on the matter:

- Rev. Lee De Leon, request consideration Every Child Connected proposal.
- Alan Woo, agreed with Reverend De Leon; urged support for proposal.
- Johnathan Hernandez, spoke of the economic behind of the current decision making process.
- Fatima Avalos, opined that youth investments needed in considering strategies.
- Nellie Ann Le Gaspé, commented on need to have a united front.
- Moises Vazquez, commented on need to invest in our youth.
- Dulce Savedra, spoke of recent shooting incident; expressed support to address issue.
- Ana Urzua, opined that there is an unacceptable increase in gang violence; enforcement is not the answer but prevention services.
- Alex Vega, recounted personal experience with gang violence.

Council discussion ensued.

Mayor Pro Tem Martinez, opined that City is safe for a city of similar size; any death is senseless; spoke of holistic approach to solving issues; supports implementation of Project Longevity in New Haven; focus on root of the spike in violence; community fear exists.

Police Chief Rojas, spoke of robust enforcement program; department is focused on holistic approach that is needed to reduce gang violence, have used gang injunction and GRIP program, important to include faith based and non-profit organizations.

Mayor Pro Tem Martinez, indicated that she will be hosting Project Kinship along with Santa Ana Unified School District Boardmember, Valerie Amezcua on April 21<sup>st</sup> at 10 a.m.; leverage all resources and continue to have discussions; recounted past EPIC Commission that was dissolved due to budgetary concerns.

Councilmember Benavides, opined that Police Department addressing symptom; need to solve root of the problem.

Councilmember Villegas, opined that many underlying issues contribute to delinquency; change starts at home; need to work together.

Councilmember Solorio, number of pedestrian deaths may be higher than gang related deaths; consider bringing back red light cameras that have improved technology features; City has experienced spike in crime; Police Department needs to be focused on community oriented policies and prevention including solving crimes; CDBG funding approval may have impact in assisting with this

endeavor; evidence based and best practices need to be including in consideration; also, consider in context with budget.

Police Chief Rojas, noted that in the past had robust program with increased resources to manage Community Oriented Policing.

Mayor Pro Tem Martinez, direct staff to bring holistic approach on various elements including: evidence based programs, gang task force and gang unit; identify needs; needs to be an equitable program; expressed support for non-profit organizations; schedule matter for Council discussion in 30 days.

## **COMMENTS**

### **PUBLIC COMMENTS**

- Susana Sandoval, spoke in support of Pacific Electric Park and appointment of Acting City Manager as permanent City Manager.
- Irma Jauregui, thanked all who assisted with the approval of Pacific Electric Park and leadership of Mr. Mouet who helped make it a reality.
- Alex Vega, expressed support for Acting City Manager.

### 90A. CITY MANAGER'S COMMENTS

- Acting City Manager, Mouet, invited all to attend the Annual Dia del Nino and Earth Day celebration on Saturday, April 22<sup>nd</sup> event at 10:30 a.m.

### 90B. CITY COUNCILMEMBER COMMENTS:

Councilmember Solorio:

- Commented on CDBG, other grant funds Cities Artist Fund deadline is May 1<sup>st</sup>; and
- Attended the Pacific Electric Park Groundbreaking; great uses incorporated; kudos to staff involved in bringing forth project.

Councilmember Villegas:

- Invited all to attend Healthy Veterans Event hosted by OneOC.org.

Councilmember Benavides:

- Thanked colleagues on healthy discussion of gang activity; sense of partnership was underlying theme; invest in youth and opportunities in economic development strategies; and
- Encouraged all to shop in Santa Ana and support our local economy.

Mayor Pro Tem Martinez:

- Spoke of commitment to bring Pacific Electric Park that is now reality;

- City has joint use partnerships with SAUSD and Santa Ana College that leverages resources to better serve our residents - continued dialogue needed;
- Provided update on homeless; will be meeting with staff;
- Noted that she has been busy serving on regional boards including Past President of NALEO and ending term as President of SCAG; commit to re-engage in City affairs; and
- Adjourned in memory of Milton Gordon, past President of Cal State Fullerton.

**ADJOURNED** - 9:42 p.m. - The next meeting of the City Council is scheduled for Tuesday, May 2, 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  
MILTON GORDON**

  
Maria D. Huizar,  
Clerk of the Council

**FUTURE AGENDA ITEMS**

- Community Engagement Program
- Fiscal Year 2017/18 City Budget Adoption
- Labor Contracts