

City of Santa Ana Council Meeting Agenda

February 17, 2009

CLOSED SESSION
CITY HALL
20 Civic Center Plaza, 8th Floor
5:00 PM

REGULAR MEETING
CITY COUNCIL CHAMBERS
22 Civic Center Plaza
6:00 P.M.



Miguel A. Pulido
Mayor

Claudia Alvarez
Mayor Pro Tem – Ward 5

Michele Martinez
Councilmember - Ward 2

P. David Benavides
Councilmember - Ward 4

Joseph W. Fletcher
City Attorney

David N. Ream
City Manager

Vincent F. Sarmiento
Councilmember - Ward 1

Carlos Bustamante
Councilmember - Ward 3

Sal Tinajero
Councilmember - Ward 6

Patricia E. Healy
Clerk of the Council

NOTE: If you need special assistance to participate in this Council meeting, contact, Mary Kelley, City ADA Program Coordinator, at (714) 647-5340. Please call prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102) American Disabilities Act Title II)

BASIC CITY COUNCIL MEETING INFORMATION

CODE OF ETHICS AND CONDUCT

The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter of the City of Santa Ana which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City's Code can be found on the Clerk of the Council's webpage. The following are the core values expressed:

Integrity · Honesty · Responsibility · Fairness · Accountability · Respect · Efficiency

AGENDA DESCRIPTIONS

The agenda descriptions provide the public with a general summary of the items of business to be considered by the Council. The Council is not limited in any way by the **Recommended Action** and may take any action which the council deems to be appropriate on an agenda item. Except as otherwise provided by law, no action shall be taken on any item not listed on the agenda. Late materials received following the posting of the agenda will be available for viewing in the Council meeting location during the session.

PUBLIC INPUT

AGENDA ITEMS – Members of the public shall be given three (3) minutes to address the City Council on any and all matters contained on the City Council agenda as well as the agendas of any of the City's related agencies scheduled at the same time; Members of the public shall also be given three (3) minutes to address the City Council for each duly noticed hearing, unless the matter is continued prior to taking public testimony; Following the conclusion of all agenda matters, members of the public shall be provided three (3) minutes to address the Council on issues of public interest within the subject matter jurisdiction of the City Council. All requests to speak shall be submitted in writing by submitting a speaker card to the Clerk of the Council. No requests to speak shall be accepted after the public comment session begins without permission of the presiding officer.

CONSENT CALENDAR

All matters listed under the consent calendar are considered to be routine by the City Council and will be enacted by one motion without discussion unless a member of the Council "pulls" an item(s) from the consent calendar for a separate vote.

TELEVISED MEETING SCHEDULE

All regular Council meetings will be televised and available for viewing on the City's web page live or taped delayed. Meetings held in the Council Chamber or other designated locations which are televised live on CTV3 **Time Warner Cable** will be cablecast Mondays at 6:00 p.m., Tuesdays immediately following the Council meeting at 9:00 a.m., Wednesdays at 6:00 p.m., and Sundays at 1:00 p.m. Meetings held in locations that do not have a live cable feed will be videotaped and shown on CTV3 and the City's website one day following the Council meeting.

DVD copies of the Council meetings for loan will be available for public circulation at the Santa Ana Main Library the day after the Council meeting.

AGENDA & MINUTES

Staff reports and documents relating to each agenda item are on file in the Office of the Clerk of the Council and are available for public inspection during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. The Clerk's office is located in City Hall, 20 Civic Center Plaza, Room 809, Santa Ana, California, (714) 647-6520. Council meeting agendas, staff reports, and minutes are available the Friday before a Council meeting at the following website address: www.santa-ana.org

**CITY OF SANTA ANA
CITY COUNCIL MEETING**

FEBRUARY 17, 2009

CALL TO ORDER

5:00 P.M.

CLOSED SESSION

(See Separate Agenda for Closed Session Items)

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

MAYOR PULIDO

COUNCILMEMBERS ALVAREZ, BENAVIDES,
BUSTAMANTE, MARTINEZ, TINAJERO,
SARMIENTO

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

INVOCATION

Rita Gutierrez, Police Chaplain

PRESENTATIONS

PROCLAMATION presented by COUNCILMEMBERS BENAVIDES AND MARTINEZ to Helen Shipp in recognition of 2009 Black History Month.

CERTIFICATES OF RECOGNITION presented by COUNCILMEMBERS BENAVIDES AND MARTINEZ to the Orange County Black History Cultural Faire Committee for organizing the 2009 Cultural Faire in Santa Ana.

CLOSED SESSION REPORT

(The City Attorney will report items to be added to the Consent Calendar from the Closed Session meeting).

PUBLIC COMMENT ON AGENDA ITEMS

Prior to consideration of the consent and business calendars on the agenda, the City Council and all other related City Agencies meeting on this date will convene in joint session to receive public comments regarding any agenda items on the City Council agenda and any agenda or non-agenda items on the respective agencies agendas. All requests to speak shall be submitted in writing to the Clerk of the Council. Speaker forms will be available at the meeting.

REQUESTS TO SPEAK SHALL NOT BE ACCEPTED AFTER THE PUBLIC COMMENT SESSION BEGINS WITHOUT PERMISSION OF THE PRESIDING OFFICER. *Members of the public shall be given a total of three (3) minutes to address the City Council on any and all matters contained on the City Council and related Agencies agendas.*

CONSENT CALENDAR

Recommended Action:

Approve staff recommendations on the following Consent Calendar items.

ADMINISTRATIVE MATTERS

MINUTES

Recommended Action:

Approve minutes. (Item 10.A. and 10.B.)

- 10.A. Closed Session Meeting of February 2, 2009
- 10.B. Regular Meeting of February 2, 2009

MISCELLANEOUS ADMINISTRATION

- 19.A. CLOSED SESSION REPORT
- 19.B. EXCUSED ABSENCES

AGREEMENTS

Recommended Action:

Authorize the City Manager and Clerk of the Council to execute the following agreement, subject to non-substantive changes approved by the City Manager and City Attorney.

- 25.A. **AGMT – HOPWA PROGRAM** – Execute an amendment with the County of Orange Health Care Agency adding an additional \$70,000 for a total of \$894,650 – Community Development Agency

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

BUSINESS CALENDAR

RESOLUTIONS

- 55.A. **AMENDMENT TO CLASSIFICATION AND COMPENSATION PLAN AND ANNUAL BUDGET**

Continued from the February 2, 2009 City Council meeting by a vote of 7-0.

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana to amend Resolution No. 82-110 to add two new full time classification titles to the City’s Basic Classification and Compensation Plan, and to amend the current annual budget to reallocate four positions in the Parks, Recreation and Community Services Agency

55.B. AMENDMENT TO CLASSIFICATION AND COMPENSATION PLAN AND ANNUAL BUDGET

Continued from the February 2, 2009 City Council meeting by a vote of 7-0.

Recommended Action:

Approve staff’s request for withdrawal of item.

55.C. DONATION OF SURPLUS POLICE EQUIPMENT

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana authorizing the donation of surplus or expired police equipment to law enforcement agencies in Baja California

55.D. RENEWED MEASURE M PROJECT T COMPETITIVE TRANSIT PROGRAM – GRANT APPLICATION

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana approving the application for grant funds from the Project T Program for the Santa Ana Regional Transportation Center Master Plan Project.

PUBLIC HEARINGS

75.A. PUBLIC HEARING - CONSTRUCTION OF THE CITY PLACE SKY LOFTS RESIDENTIAL TOWER DEVELOPMENT LOCATED AT 301 EAST JEANETTE LANE

Filed by the Transaction Financial Corporation, to allow the construction of a 31-story high rise residential condominium tower within the City Place development located at 301 East Jeanette Lane in the Specific Development No. 59 (SD-59) zoning district.

Recommended action approved by the Planning Commission on January 12, 2009 by a vote of 5-1 (Yrarrazaval opposed, Turner abstained)

Legal Notice published in the O.C. Reporter on January 23, 2009 and notices mailed.

Continued from the February 2, 2009 City Council Meeting by a vote of 7-0.

Applicant: Transaction Financial Corporation

Recommended Action:

1. Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana certifying the Environmental Impact Report for the Sky Lofts project, approving a mitigation monitoring program, and adopting certain facts, findings and a statement of overriding considerations

2. Place ordinances on first reading and authorize publication.

ORDINANCE – An ordinance of the City Council of the City of Santa Ana amending Specific Development District (SD-59)

ORDINANCE – An ordinance of the City Council of the City of Santa Ana approving an amendment to the development agreement between the City of Santa Ana and Main Street Concourse, LLC

3. Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana approving Conditional Use Permit No. 2008-34 as conditioned, vesting Tentative Tract Map No. 2008-04 as conditioned and Site Plan Review No. 2008-05 for the property located at 301 East Jeanette Lane (County Map NO. 17242)

**JOINT SESSION BETWEEN CITY COUNCIL AND
COMMUNITY REDEVELOPMENT AGENCY**

80.A. JOINT PUBLIC HEARING – DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE CHARLES BOWERS MUSEUM CORPORATION FOR 1902-1914 NORTH MAIN STREET

Recommended action approved by the Community Redevelopment Agency and the Housing Commission on February 3, 2009, by a vote of 4-0 (Villaseñor absent)

Legal Notice published in the O.C. Reporter on February 2 and February 9, 2009.

Recommended Action:

CITY COUNCIL

Adopt a resolution.

RESOLUTION – A resolution of the City Council of Santa Ana making certain findings with respect to the consideration to be received by the Community Redevelopment Agency of the City of Santa Ana pursuant to a Disposition and Development Agreement between the Community Redevelopment Agency of the City of Santa Ana, and The Charles Bowers Museum Corporation, a California non-profit public benefit corporation, for the sale of certain real property in the merged project area, and approving the sale of said real property upon the terms and conditions contained in that agreement

COMMUNITY REDEVELOPMENT AGENCY

Adopt a resolution.

CRA RESOLUTION – A resolution of the Community Redevelopment Agency of the City of Santa Ana approving a Disposition and Development Agreement between the Agency and The Charles Bowers Museum Corporation, a California non-profit public benefit corporation

COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)

PUBLIC COMMENTS ON ISSUES OF PUBLIC INTEREST

Members of the public shall be provided three (3) minutes to address the City Council on issues of public interest within the subject matter jurisdiction of the City Council. When speaking, all persons addressing the City Council shall follow the rules of decorum as detailed on the back of the speaker form. The presiding officer shall have the power and responsibility to enforce decorum and order of the meeting as set forth in Section 2-104(c) of the Santa Ana Municipal Code.

DEADLINE TO SUBMIT REQUEST TO SPEAK - NO REQUESTS TO SPEAK SHALL BE ACCEPTED AFTER THE PUBLIC COMMENT SESSION BEGINS WITHOUT PERMISSION OF THE PRESIDING OFFICER.

CITY MANAGER AND COUNCIL COMMENTS

90.A. CITY MANAGER’S COMMENTS

90.B. CITY COUNCILMEMBER COMMENTS

ADJOURNMENT