

Council Meeting Agenda

July 6, 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, please contact Ellen Smiley, City ADA Program Coordinator, at (714) 647-5340. Please call prior to the meeting date, to allow the City enough time to make reasonable arrangements for accessibility to this meeting. [Americans with Disabilities Act, Title II, 28 CFR 35.102]

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

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 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; members of the public shall also be provided an opportunity 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**

JULY 6, 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

Dale Temple, Police Chaplain

EMPLOYEE SERVICE AWARDS

MAYOR PULIDO

20 YEARS OF SERVICE

Stephen J. Colon
Terrance A. Rodgers

Police Lieutenant, Police Department
Police Sergeant, Police Department

PRESENTATIONS

CERTIFICATES OF RECOGNITION presented by MAYOR PULIDO to the 2009 Com-Link Neighborhood Heroes.

CERTIFICATE OF RECOGNITION presented by MAYOR PRO TEM ALVAREZ to El Sol Academy in recognition of their first graduating class.

CERTIFICATES OF RECOGNITION presented by COUNCIL MEMBER MARTINEZ to Cynthia and Jazmin Acosta for their dedication in helping young people through their mentoring efforts at Orange County On Track.

CERTIFICATE OF RECOGNITION presented by COUNCIL MEMBER BUSTAMANTE to Andy Beyer for the many years of entertaining the children of 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. (Items 10A through 10C)

- 10A Special Closed Session meeting of June 8, 2009
- 10B Special Closed Session meeting for June 29, 2009
- 10C Adjourned Regular meeting of June 29, 2009

MISCELLANEOUS ADMINISTRATION

- 19A CLOSED SESSION REPORT
- 19B EXCUSED ABSENCES
- 19C DESTRUCTION OF OBSOLETE CITY RECORDS

Recommended Action:

Approve the requests for the destruction of obsolete records from various City departments in accordance with the retention schedule outlined in City Council Resolution 2006-045. (City Manager's Office, Clerk of the Council Office, and Personnel Services Agency)

Recommended Action:**1. Adopt a resolution.**

RESOLUTION – A resolution of the City Council of the City of Santa Ana considering the City’s statement of investment policy.

2. Receive and file the Annual Statement of Investment Policy.**BUDGETARY MATTERS****APPROPRIATION ADJUSTMENTS****20A APPROPRIATION ADJUSTMENT FOR WORKFORCE INVESTMENT ACT
TITLE I SUB-GRANT FOR PY 2009-10****Recommended Action:****1. Approve an appropriation adjustment. (*Requires five affirmative votes*)**

APPROPRIATION ADJUSTMENT NO. 09-107- Recognizing additional revenues of \$225,630 in Title I Adult funds, \$92,760 in Title I Dislocated Worker funds, \$239,610 in Title I Youth funds and \$62,000 in administrative funds from the State of California for the 2009-10 fiscal year allocation.

2. Adopt a resolution.

RESOLUTION - A resolution of the City Council of the City of Santa Ana authorizing the City Manager or his designee to execute all necessary documents of the Workforce Investment Act Sub-grant with the State of California, Workforce Investment Division

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES**Recommended Action:**

Award in accordance with Request for Council Action. (Items 22A through 22M)

**22A SPEC. NO. 06-059 – POLICE DEPARTMENT UNIFORMS – POLICE
DEPARTMENT – Renew the contracts for Police Department uniforms for a
one-year period in the annual aggregate amount not to exceed \$150,000
with the following vendors:**

Carmen’s Uniforms, Inc.
Galls, An Aramark Co, LLC

22B SPEC. NO. 06-100 - WEED AND DEBRIS REMOVAL – PUBLIC WORKS AGENCY AND COMMUNITY DEVELOPMENT AGENCY - Renew the contract with Naranjo Landscaping for a one-year period in an annual amount not to exceed \$247,000 – Finance & Management Services Agency

22C SPEC. NOS. 06-101 AND 06-103 – ASPHALT STREET MAINTENANCE AND ASPHALT POTHOLE REPAIR – PUBLIC WORKS AGENCY

Recommended Action:

1. Renew the contract with Hardy and Harper, Inc., for asphalt pothole repair for a one-year period in an annual amount not to exceed \$700,000.

2. Renew the contract with Hardy and Harper, Inc., for asphalt street maintenance for a one-year period in an annual amount not to exceed \$580,000.

22D SPEC. NO. 06-102 – SIDEWALK MAINTENANCE – PUBLIC WORKS AGENCY - Renew the contract with Channel Islands Sawing for sidewalk maintenance for a one-year period in an annual amount not to exceed \$150,000 - Finance & Management Services Agency

22E SPEC. NO. 07-057 – BRASS WATER SERVICE FITTINGS – PUBLIC WORKS AGENCY – Renew the contracts with Wells Supply Company for a one-year period in an amount not to exceed \$95,000 – Finance & Management Services Agency

22F SPEC. NO. 07-058 – ANIMAL FOOD – PARKS, RECREATION & COMMUNITY SERVICES AGENCY – Renew the contract with Midway City Feed Company for a one-year period in an amount not to exceed \$40,000 - Finance & Management Services Agency

22G SPEC. NO. 09-013 – CONCRETE RECYCLING AND TRASH RECEPTACLES

Recommended Action:

1. Reject the Bid from NuCast as nonresponsive

2. Award a contract to Quick Crete Products Corp., for concrete recycling and trash receptacles in the amount of \$161,690.

22H SPEC NO. 09-025 – RE-ROOFING VARIOUS CITY PROPERTIES – PARKS, RECREATION & COMMUNITY SERVICES AGENCY – Award a contract to Cook Coatings, Inc., in an amount not to exceed \$96,500 – Finance & Management Services Agency

22I SPEC NO. 09-027 – MOTOR CONTROL CENTER UPGRADE AT MAXINE LIFT STATION – PUBLIC WORKS AGENCY – Award a contract to

Academy Electric Inc. in the amount of \$65,900- Finance & Management Services Agency

22J SPEC NO. 09-029 – ASPHALT AND CONCRETE MATERIALS – PUBLIC WORKS AGENCY – Award a contract to Vulcan Materials Co. for a one-year period with provision for four, one-year renewals in an annual amount not to exceed \$45,000 – Finance & Management Services Agency

22K SPEC NO. 09-030 – CHAIN LINK FENCE RENTALS – PUBLIC WORKS AND COMMUNITY DEVELOPMENT AGENCIES – Finance & Management Services Agency

Recommended Action:

1. **Reject the bids from Diamond Environmental Services and American Fence Company as nonresponsive.**
2. **Award a contract to S&S Rent-A-Fence for a one-year period, with provision for four, one-year renewals in an annual amount not to exceed \$70,000.**

22L SPEC NO. 09-036 – TRANSPORTATION SERVICES FOR THE SENIOR CENTERS – PARKS, RECREATION & COMMUNITY SERVICES AGENCY – Award a contract with JFK Transportation for a one-year period, with provision for four, one year renewals in an annual amount not to exceed \$40,000 - Finance & Management Services Agency

22M BID SPEC NO. 09-039 – SATELLITE INTERNET CONNECTIVITY - Award a contract to Mobile Satellite Technologies in an amount not to exceed \$196,000 - Finance & Management Services Agency

PROJECTS

23A CONTRACT AWARD FOR PLAZA DRIVE REHABILITATION BETWEEN SUNFLOWER AND MACARTHUR (PROJECT NO. 09-1029-C)

Recommended Action:

1. **Award a contract to Hardy and Harper, Inc., the lowest responsible bidder, in accordance with unit bid prices in the estimated amount of \$429,000 for construction of Plaza Drive Rehabilitation between Sunflower and MacArthur.**
2. **Approve a Funding Analysis with a total estimated construction cost of \$536,200.**

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. (Items 25A through 25H)

25A **AGMT – SOFTWARE AND GRAFFITI ANALYSIS** – Approve an agreement extension for one year with Graffiti Tracker Inc. in an amount not to exceed \$120,000 for FY 2009-2010 – Public Works Agency

25B **AGREEMENTS AND APPROPRIATION ADJUSTMENT FOR AQUATICS PROGRAMMING – PARKS, RECREATION & COMMUNITY SERVICES AGENCY**

1. **AGMT - With the LA 84 Foundation in the amount of \$50,000 for a one-year term**

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

APPROPRIATION ADJUSTMENT NO. 10-003 - Recognizing a grant from LA 84 in the amount of \$50,000 in the Recreation Special Fees and Donations revenue account and appropriate same to the Recreation Special Fees and Donations expenditure account.

3. **AGMT - With the YMCA of Central Orange County in an amount not to exceed \$57,000 for a one-year term.**

25C **AGMT - CELLULAR ANTENNA AT ROSITA PARK – PARKS & RECREATION SERVICES AGENCY**

1. **AGMT - With Omnipoint Communications Inc (T-Mobile)**

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

APPROPRIATION ADJUSTMENT NO. 10-004 - Recognizing \$23,040 in the Capital Outlay Fund Recoveries Account and appropriate funds to the Capital Expenditure Account.

3. **Receive and file Categorical Exemption for Environmental Review Nos. 2008-241 (Rosita Park).**

25D **AGMT – UNDERGROUND FUEL TANK** – Execute an amendment with Pacific Systems Electric to extend the term for another year, and increase the amount for an additional \$45,000 – Finance & Management Services Agency

25E **AGMT – FIRE ALARM SYSTEMS AND TIME CLOCK** – Execute agreement with Simplex Grinnell for a one year period with a provision for four one-year renewals, in an annual amount not to exceed \$65,000 - Finance & Management Services Agency

- 25F AGMT - GOVERNMENT LIAISON SERVICES - Execute an amendment with the Ferguson Group of Washington, D.C. in an amount of \$75,000 – City Manager’s Office
- 25G AGMT – (SPEC NO. 09-028) – COLLECTION AGENCY SERVICES – Execute agreement with American Capital Enterprises, Inc. for a two-year period with provision for three one-year renewals - Finance & Management Services Agency
- 25H AGMT – DOWNTOWN OFFICE LEASE – Execute agreement with Fiesta Marketplace Partners #1 – Community Development Agency

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

BUSINESS CALENDAR

ORDINANCES/FIRST READING

- 50A AN ORDINANCE REPEALING AND READOPTING CHAPTER 7 OF THE SANTA ANA MUNICIPAL CODE TO INCORPORATE THE MOST RECENTLY ENACTED FEDERAL MODEL FLOODPLAIN MANAGEMENT REGULATIONS

Recommended Action:

Place ordinance on first reading and authorize publication of title.

ORDINANCE - An ordinance of the City Council of the City of Santa Ana repealing and readopting Chapter 7 of the Santa Ana Municipal Code updating the City’s Floodplain Management Regulations to meet current federal requirements

RESOLUTIONS

- 55A RESOLUTION CERTIFYING FINAL SUPPLEMENTAL EIR NO. 2009-1 FOR PROPOSED FAIRHAVEN/LINCOLN CLOSURE AND SANTA CLARA/LINCOLN INTERSECTION MODIFICATION

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana certifying the final Supplemental Environmental Impact Report for Fairhaven/Lincoln and Santa Clara/Lincoln intersection modifications, supplement to the Santa Ana Second Main Track Environmental Impact Report

Recommended Action:**Adopt a resolution.**

RESOLUTION – A resolution of the City Council of the City of Santa Ana establishing the appropriation limit of the City of Santa Ana for Fiscal Year 2009-2010

REPORTS
**RESTRUCTURE CITY BOARDS, COMMISSIONS, AND COMMITTEES
(APPOINTIVE BOARDS)**

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

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

Continued from the April 20, 2009 City Council meeting by a vote of 7-0.

Recommended Action:**1. Place ordinances on first reading and authorize publication:**

- a. ORDINANCE – An ordinance of the City Council of the City of Santa Ana repealing sections 2-603, 2-604 and section 2-607 of Article IV of Chapter 2 of the Santa Ana Municipal Code, related to dissolution of the Library Commission of the City of Santa Ana
- b. ORDINANCE – An ordinance of the City Council of the City of Santa Ana repealing section 2-550 through section 2-554 of the Santa Ana Municipal Code related to Early Prevention and Intervention Commission
- c. ORDINANCE – An ordinance of the City Council of the City of Santa Ana amending section 2-325 to the Santa Ana Municipal Code related to compensation for boards and commissions

2. Adopt a resolution.

RESOLUTION – A resolution dissolving the Human Relations Commission of Santa Ana

3. Direct City staff to prepare a recommended ordinance creating a new seven member City Commission focused on enhancing opportunities for youth in Santa Ana to significantly reduce gang involvement.

4. Direct that the Historic Resources Commission and Youth commission reduce their meetings from monthly to a quarterly or as needed basis as determined by the Executive Directors of Planning and Building, and Parks and Recreation, respectively, and direct that the Environmental Transportation and Advisory Committee meet on an as needed basis as determined by the Executive Director of the Public Works Agency.

PUBLIC HEARINGS

75A **PUBLIC HEARING - RECOVERY OF UNCOLLECTED COSTS FOR ABATEMENT OF DANGEROUS AND ABANDONED BUILDINGS**

Legal Notice published in the O.C. Reporter on June 26, 2009 and notices mailed

Recommended Action:

Adopt a resolution.

RESOLUTION - A Resolution of the City Council of the City of Santa Ana overruling objections to and confirming the costs of securing and demolition of various structures declared to be public nuisances; making, confirming and levying assessments for such costs; and ordering such costs to be recorded with the Orange County Recorder

75B **PUBLIC HEARING – WEED ABATEMENT PUBLIC NUISANCE REPORT FISCAL YEAR 2008-2009**

Legal Notice published in the O.C. Reporter on June 26, 2009 and notices mailed

Recommended Action:

Adopt a resolution.

RESOLUTION - A Resolution of the City Council of the City of Santa Ana overruling objections to and confirming the costs of weed, rubbish and garbage abatement: making, confirming and levying assessments for such costs; and ordering a copy thereof to be filed with the County Auditor, Assessor and Tax Collector

COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)

HOUSING AUTHORITY MEETING (Blue Agenda)

PUBLIC COMMENTS ON ISSUES OF PUBLIC INTEREST (At the discretion of the Chair, this item may be considered at an earlier time and combined with public comments on agenda items)

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

90A CITY MANAGER'S COMMENTS

90B CITY COUNCILMEMBER COMMENTS

ADJOURNMENT