

REVISED 07/17/09

Council Meeting Agenda

July 20, 2009

CLOSED SESSION
Police Chief's Conference Room
60 Civic Center Plaza, 4th Floor
5:30 P.M.

REGULAR MEETING
Police Community Room
60 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

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

Placed on first reading at the July 6, 2009 City Council meeting and approved by a vote of 6-0 (Sarmiento absent)

Published in the Orange County Reporter on July 10, 2009.

Recommended Action:

Place ordinance on second reading and adopt.

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

MISCELLANEOUS ADMINISTRATION

19A CLOSED SESSION REPORT

19B EXCUSED ABSENCES

BUDGETARY MATTERS

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. (Item 25A)

25A **AGMT – MAINTENANCE SERVICES** – Execute an amendment with Midori Gardens Inc. for a total annual contract amount not to exceed \$650,000 – Public Works Agency

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

BUSINESS CALENDAR

RESOLUTIONS

55A RESOLUTION SUPPORTING THE FEDERAL DREAM ACT

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana endorsing the Federal Dream Act of 2009

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

80A JOINT PUBLIC HEARING – GENERAL PLAN AMENDMENT NO. 2008-02, AMENDMENT APPLICATION NO. 2008-11, SITE PLAN REVIEW NO. 2009-02 AND DISPOSITION AND DEVELOPMENT AGREEMENT WITH VISTA DEL RIO HOUSING PARTNERS, L.P. – 1600 WEST MEMORY LANE

Filed by the Foundation for Affordable Housing, now known as Vista Del Rio Housing Partners, L.P., to allow 41 multiple residential units for persons with special needs that includes a general plan amendment from Open Space (OS) to Medium Density Residential (MR-15), a zoning amendment from Open Space (OS) to Specific Development No. 83 (SD-83), site plan review and Disposition and Development Agreement for the property at 1600 West Memory Lane.

Recommended action approved by the Planning Commission on March 9, 2009 by a vote of 6-0 (Turner abstained).

Recommended action approved by the Community Redevelopment and Housing Commission by a vote of 5-0.

Legal notice published in the Orange County Reporter on July 6 and July 13, 2009 and notices mailed.

RECOMMENDED ACTION:

City Council Action

1. **Approve and adopt the Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2005-42.**

2. **Adopt a resolution.**

RESOLUTION – A resolution of the City Council of the City of Santa Ana approving and adopting the mitigated negative declaration and mitigation monitoring program (Environmental Review No. 2005-42), Amending the General Plan of the City of Santa Ana to modify the Land Use Element (GPA No. 2008-02) and approving Site Plan Review No. 2009-02

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

ORDINANCE – An ordinance of the City Council of the City of Santa Ana adopting Specific Development No. 83 (SD-83) and rezoning the property located at 1600 West Memory Lane from open space (O) to Specific Development No. 83 (SD-83)

4. **Authorize the City Manager to execute a loan agreement with Vista Del Rio Housing Partners, L.P. in an amount not to exceed \$500,000, subject to non-substantive changes approved by the City Manager and City Attorney.**

5. **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 Vista Del Rio Housing Partners, L.P., a California Limited Partnership, 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

6. **Authorize the City Manager to accept transfer of the .46 acre park site.**

Community Redevelopment Agency Action

1. **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 Vista Del Rio Housing Partners, L.P., a California limited partnership

2. **Transfer the .46 acre park site to the City.**

COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)

WORK STUDY SESSION

WSA PROPOSED COMMUNITY GRAFFITI PROGRAM – POLICE DEPARTMENT, PLANNING AND BUILDING AGENCY, PUBLIC WORKS AGENCY, AND CITY ATTORNEY’S OFFICE

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 the opportunity 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