

REVISED 07/31/2009

Council Meeting Agenda

August 3, 2009

**CLOSED SESSION
CITY HALL
20 Civic Center Plaza, 8th Floor
5:30 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 REGULAR MEETING**

AUGUST 3, 2009

CALL TO ORDER

5:30 P.M.

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

MAYOR PULIDO

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

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

INVOCATION

Gary Tucker, Police Chaplain

EMPLOYEE SERVICE AWARDS

MAYOR PULIDO

20 YEARS OF SERVICE

Douglas J. Wicks
Don R. Williams

Sanitation Inspector II, Public Works Agency
Maintenance Worker II, Public Works Agency

PRESENTATIONS

CERTIFICATE OF RECOGNITION presented by COUNCILMEMBER BUSTAMANTE to Andy Beyer for the many years of entertaining the children of Santa Ana.

CERTIFICATES OF RECOGNITION presented by COUNCILMEMBER MARTINEZ to ConquistAmerica BU-17s Soccer Team for winning State Championship and Far West Regional Championship.

CERTIFICATES OF RECOGNITION presented by COUNCILMEMBER MARTINEZ to Santa Ana Xtreme softball team for their outstanding performance and placing 2nd at the Triple Crown World Series in Utah.

CERTIFICATE OF RECOGNITION presented by COUNCILMEMBER SARMIENTO to Coast Composites, Inc for their facility expansion.

CERTIFICATE OF RECOGNITION presented by COUNCILMEMBER SARMIENTO to Consular Services Officer Ernesto Malda Arozarena for his service to the residents of Santa Ana.

CERTIFICATE OF RECOGNITION presented by COUNCILMEMBER TINAJERO to George Collins for facilitating the railroad crossing improvements at Alton and Greenville by Union Pacific.

PROCLAMATION presented by COUNCILMEMBER TINAJERO to Jerry Wittie for his 40 years of service at Saddleback High School.

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 public will be given the opportunity to speak on any and all matters contained on the Council agenda or the agendas of any of the City's related agencies (if any). 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 all Agency agendas for tonight's meeting.*

CONSENT CALENDAR

Recommended Action:

Approve staff recommendations on the following Consent Calendar items.

ADMINISTRATIVE MATTERS

MINUTES

Recommended Action:

Approve minutes. (Item 10A)

10A Closed Session and Regular Meeting of July 20, 2009

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 GENERAL PLAN AMENDMENT NO. 2008-02, AMENDMENT APPLICATION NO. 2008-11, AND SITE PLAN REVIEW NO. 2009-02 WITH

VISTA DEL RIO HOUSING PARTNERS, L.P. – 1600 WEST MEMORY LANE

Placed on first reading at the July 20, 2009 City Council meeting and approved by a vote of 5-0 (Pulido and Sarmiento absent)

Published in the Orange County Reporter on July 24, 2009.

Recommended Action:

Place ordinance on second reading and adopt.

ORDINANCE NO. NS-2790 – 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)

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, City Attorney's Office, Finance and Management Services, and Personnel Services Agency)

19D INVESTMENTS REPORT – QUARTERLY REPORT OF INVESTMENTS AS OF JUNE 30, 2009 – FINANCE AND MANAGEMENT SERVICES AGENCY

Recommended Action:

Receive and file report.

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

20A APPROPRIATION ADJUSTMENT ACCEPTING THE OFFICE OF TRAFFIC SAFETY GRANT

Recommended Action:

Approve an Appropriation Adjustment. (Requires five affirmative votes)

APPROPRIATION ADJUSTMENT NO. 10-008 – Accepting the California Office of the Traffic Safety, DUI Enforcement and Awareness Program Grant in the amount of \$249,200 into the revenue account and appropriate same into the California Office of Traffic Safety, DUI Enforcement and Awareness Program expenditure accounts

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

Recommended Action:

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

22A SPEC. NO 06-152 – MISCELLANEOUS PLUMBING SUPPLIES – Renew the contract with Irvine Pipe & Supply, Inc., for a one-year period in an amount not to exceed \$90,000 – Finance and Management Services Agency

22B SPEC. NO 08-046 – CHARTER BUS SERVICES – PARKS, RECREATION, AND COMMUNITY SERVICES AGENCY – Renew the contracts for a one-year period, in the following amounts:

Vendor:	Location:	Amount:
Certified Transportation Services, Inc.	Santa Ana	\$30,000
Pacific Coast Sightseeing Tours and Charters	Anaheim	\$30,000

22C SPEC. NO 09-035 – MULTI-JET AND TURBINE COLD WATER METERS – PUBLIC AGENCY – Award contracts for a one-year period, with provision for four, one-year renewals in the following annual amounts not to exceed:

Vendor:	Location:	Amount:
Aqua-Metric Sales Company	Riverside	\$46,000
Badger Meter, Inc.	Milwaukee, WI	\$43,000

22D SPEC. NO 09-037 – LANDSCAPING AND HAND TOOLS – Finance Management Services

Recommended Action:

1. **Reject the bids from Bon Tool Company and Hilti, Inc. as nonresponsive.**
2. **Award contracts for landscaping and hand tools for a one-year period, with provision for four, one-year renewals in the annual amounts as follows:**

Vendor:	Location:	Amount:
Shamrock Supply Co., Inc.	Anaheim	\$50,000
W.W. Grainger, Inc.	Santa Ana	\$30,000

PROJECTS/CHANGE ORDERS

23A [CONTRACT AWARD FOR MACARTHUR BOULEVARD FRONTAGE TO SANTA ANA RIVER BIKE TRAIL ENHANCEMENT \(PROJECT NO.08-6033-M\)](#)

Recommended Action:

1. Award a contract to Elite Bobcat Service, Inc., the lowest responsible bidder, in accordance with unit bid prices in the estimated amount of \$42,424.24 for construction of the MacArthur Boulevard Frontage to Santa Ana River Bike Trail Enhancement.
2. Approve a Funding Analysis with a total estimated construction cost of \$56,500.

23B [CONTRACT AWARD FOR PICO LOWELL NEIGHBORHOOD WATER MAIN IMPROVEMENTS \(PROJECT NO.08-3210\)](#)

Recommended Action:

1. Award a contract to MCC Equipment Rentals, Inc., the lowest responsible bidder, in accordance with unit bid prices in the estimated amount of \$644,097.50 for construction of Pico Lowell Neighborhood Water Main Improvements.
2. Approve a Funding Analysis with a total estimated construction cost of \$805,100.

23C [CONTRACT CHANGE ORDER NO. 1 - SUSAN STREET REHABILITATION \(PROJECT NO.09-1750-C\)](#)

Recommended Action:

Approve Change Order No. 1 for Susan Street Rehabilitation from Sunflower Avenue to MacArthur Boulevard for an estimated cost of \$183,700.

AGREEMENTS

Recommended Action:

Authorize the City Manager and Clerk of the Council to execute the following agreements, subject to non-substantive changes approved by the City Manager and City Attorney. (Item 25A through 25L)

25A [AGMT – COMPREHENSIVE PHYSICAL EVALUATIONS, HEALTH SCREENING AND VACCINATIONS](#) – With Tustin-Irvine Medical Group in an amount not to exceed \$70,000 – Fire Department and Personnel Services Agency

- 25B **AGMT – INFORMATION TECHNOLOGY AND COMPUTER SUPPORT SERVICES** – Execute an amendment with Sapphire Technologies in a fiscal year amount not to exceed \$170,810 – Fire Department
- 25C **AGMTS – JANITORIAL SERVICES** – Finance and Management Services Agency
1. AGMT – With Pacific Building Care, Inc. in an annual amount not to exceed \$160,000 for a two-year term, with option for three one-year renewals at the Depot at Santa Ana. Additionally, include services at various city and park sites in an annual amount not to exceed \$181,000 for a two-year term, with option for three one-year
 2. AGMT – With Bell Building Maintenance Company in an amount not to exceed \$248,000 for a two-year term, with option for three one-year renewals at various city sites
- 25D **AGMTS – EMPLOYEE GROUP INSURANCE RENEWALS** – Execute agreements for long term disability, medical, dental, vision, employee assistance, employee group life and accidental death and dismemberment insurance – Personnel Services Agency
- 25E **AGMT – RED HILL PAVEMENT REHABILITATION COOPERATIVE AGREEMENT** – With the City of Irvine in the amount of \$125,000 – Public Works Agency
- 25F **AGMT – GIS PROGRAMMING AND CONSULTING SERVICES** – With Redlands Software Inc. for an amount not to exceed \$94,000 – Public Works Agency
- 25G **AGMT – SEXUAL ASSAULT EVIDENCE COLLECTION** – Renew agreement with Anaheim Memorial Medical Center – Police Department
- 25H **AGMT – PURCHASE OF THE CRIME MAPPING ANALYSIS SOFTWARE** – With GeoSpatial Technologies, Inc. for a one-year period, in an amount not to exceed \$71,593.75 – Police Department
- 25I **AGMT – GOVERNMENT LIAISON SERVICES** – Amend the agreement with Townsend Public Affairs in an amount not to exceed \$50,000 – Community Development Agency and Public Works Agency
- 25J **AGMT – PREPARATION OF FEDERAL PROGRAM PLANS** – With Mike Linares, Inc. in the amount of \$95,000 – Community Development Agency
- 25K **AGMT – ELECTRONIC COMMUNICATIONS INTERCEPT ROOM EQUIPMENT UPGRADE** – Award a contract to JSI Telecom in an amount not to exceed \$50,000 – Police Department

- 25L AGMT – GO LOCAL PROGRAM STEP 2 TECHNICAL ANALYSIS –
Execute an agreement with Cordoba Corporation in the amount of
\$4,845,026

CONDITIONAL USE PERMIT / VARIANCES

- 31A **CONDITIONAL USE PERMIT NO. 2009-11 TO PERMIT AN EXISTING
CHURCH AND EXPANSION PROJECT – 2000 NORTH FAIRVIEW
STREET**

Filed by Larry La Bonte to obtain a conditional use permit to allow the expansion of Wintersburg Presbyterian Church at 2000 North Fairview Street located in the Agriculture (A1) zoning district

Recommended action approved by the Planning Commission at its July 13, 2009 meeting by a vote of 6-0 (Turner absent)

Applicant: Larry La Bonte

Recommended Action:

Receive and file the staff report approving Conditional Use Permit No. 2009-11 as conditioned.

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

BUSINESS CALENDAR

ORDINANCES/FIRST READING

- 50A **ORDINANCE AMENDING THE SANTA ANA MUNICIPAL CODE
RELATING TO ANT-GRAFFITI MEASURES**

Recommended Action:

Place ordinance on first reading and authorize publication.

ORDINANCE – An ordinance of the City Council of the City of Santa Ana amending the Santa Ana Municipal code to update the City's regulation of graffiti

- 50B **ORDINANCE AMENDING THE SANTA ANA MUNICIPAL CODE
PERTAINING TO THE UNIFORM HEARING AND APPEAL PROCEDURE**

Recommended Action:

Place ordinance on first reading and authorize publication.

ORDINANCE – An ordinance of the City Council of the City of Santa Ana amending Chapter 3 of the Santa Ana Municipal Code pertaining to the Uniform Hearing and Appeal procedure, **as well as various references to the appeal process throughout the code**

RESOLUTIONS

55A APPROPRIATION ADJUSTMENT ACCEPTING FY 2009 HOMELAND SECURITY GRANT PROGRAM AND RELATED AGREEMENTS

Recommended Action:

1. Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana authorizing the City Manager and the Chief of Police to enter into an agreement with the State of California Emergency Management Agency for the FY 2009 Urban Area Security Initiative Funding Program

2. Direct the City Attorney to prepare and authorize the Chief of Police and the Clerk of the Council to enter into reimbursement agreements.

AGMTS - EQUIPMENT, SERVICES, OR TRAINING - With the County of Orange or any of the cities located in the designated Anaheim/Santa Ana Urban Area – POLICE DEPARTMENT

3. Approve an Appropriation Adjustment. (*Requires five affirmative votes*)

APPROPRIATION ADJUSTMENT NO. 10-007 - Recognizing the FY 2009 Areas Security Initiative in the amount of \$10,218,440 in revenue account and appropriate same in the FY 2007 Urban Areas Security Initiative Program Grant Expenditure accounts

55B CITY COUNCIL MEETING SCHEDULE AND ORDER OF BUSINESS AT COUNCIL MEETINGS

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana establishing rules and procedures for meetings of the City Council and repealing Resolution No. 2008-010

REPORTS

65A 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.

Continued from the July 6, 2009 City Council meeting by a vote of 5-0. (Sarmiento and Tinajero absent)

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 – 2009/10 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND GRANT

Legal Notice published in the O.C. Reporter on July 24, 2009.

Recommended Action:

Adopt a resolution.

RESOLUTION – A resolution of the City Council of the City of Santa Ana to approve the proposed expenditure plan for the 2009-2010 Supplemental Law Enforcement Services Fund

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 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