

**CITY OF SANTA ANA
CITY COUNCIL
CLOSED SESSION MEETING**

AGENDA

**5:30 P.M.
SEPTEMBER 21, 2009**

**Police Chief's Conference Room,
60 Civic Center Plaza, 4th Floor
Santa Ana, California 92702**

CALL TO ORDER

Mayor PULIDO

Councilmembers ALVAREZ, BENAVIDES,
BUSTAMANTE, MARTINEZ, SARMIENTO,
TINAJERO

City Manager, City Attorney, Clerk of the
Council

CLOSED SESSION CALENDAR

1A CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
pursuant to Government Code Section 54956.9(a)

Jaime Abel Chan-Ramirez and Jose Alberto Cruz-Reyes v. City of Santa
Ana, et al, OCSC Case No. 30-2009-00120174

CLOSED SESSION REPORT

The City Attorney will report on any actions to be taken at the Regular
Meeting which begins immediately after the Closed Session or as soon as
possible thereafter in the Police Department Community Room, 60 Civic
Center Plaza.

ADJOURNMENT

Council Meeting Agenda

September 21, 2009

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

REGULAR MEETING
Police Community Room
60 Civic Center Plaza
(Immediately following the Closed Session)



Miguel A. Pulido
Mayor

Claudia Alvarez
Mayor Pro Tem – Ward 5

Michele Martinez
Councilmember - Ward 2

P. David Benavides
Councilmember - Ward 4

Vincent F. Sarmiento
Councilmember - Ward 1

Carlos Bustamante
Councilmember - Ward 3

Sal Tinajero
Councilmember - Ward 6

Joseph W. Fletcher
City Attorney

David N. Ream
City Manager

Maria D. Huizar
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 Information - 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.*

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.

Senate Bill 343 - As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the City Council members regarding any item on this agenda will be made available for public inspection in the Clerk of the Council Office during normal business hours.

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

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.

**CITY OF SANTA ANA
CITY COUNCIL REGULAR MEETING**

SEPTEMBER 21, 2009

REGULAR MEETING

(Immediately following the Closed Session Meeting at 5:30 p.m.)

CALL TO ORDER

MAYOR PULIDO

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

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

CLOSED SESSION REPORT

The City Attorney will report items to be added to Consent Calendar Item 19A 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: Items 10A through 25E.

ADMINISTRATIVE MATTERS

MINUTES

10A MINUTES OF THE CLOSED AND REGULAR MEETING OF SEPTEMBER 8, 2009

RECOMMENDED ACTION: 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 ORDINANCE - AMENDMENT APPLICATION NOS. 2008-03 AND 2008-04 - 542 EAST CENTRAL AVENUE AND 2034 AND 2038 NORTH BUSH STREET - Planning and Building Agency

Placed on first reading at the September 8, 2009 City Council meeting and approved by a vote of 7-0.

Published titles in the Orange County Reporter on September 11, 2009.

RECOMMENDED ACTION: Place ordinance on second reading and adopt.

ORDINANCE NO. NS-2796 – An ordinance of the City Council of the City of Santa Ana rezoning the property located at 542 East Central Avenue from Community Commercial (C1) to Single Family Residence (R1) and the properties located at 2034 and 2038 North Bush Street from Professional-Height District II (P-HDII) to Two Family Residence (R2) (AA Nos. 2008-03 and 2008-04)

BOARDS AND COMMISSIONS

13A APPOINTMENTS

RECOMMENDED ACTION: Reappoint.

Reappoint Christopher M. Leo to the Planning Commission; Lisa Bist to the Community Redevelopment/Housing Commission, and Max Madrid to the Recreation & Parks Board, nominated by Mayor Pro Tem Alvarez as the Ward 5 representatives for full-terms expiring December 11, 2012.

MISCELLANEOUS ADMINISTRATION

- 19A CLOSED SESSION REPORT
- 19B EXCUSED ABSENCES

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

- 20A ACCEPT COUNTY OF ORANGE, FAMILIES AND COMMUNITIES TOGETHER FUNDS - Parks, Recreation & Community Services Agency

RECOMMENDED ACTION: Approve an appropriation adjustment. (Requires five affirmative votes)

APPROPRIATION ADJUSTMENT NO. 10-013 - Recognizing \$33,651 in the County of Orange, Families and Communities Together program revenue account and appropriating same to the Families and Communities Together program expenditure account.

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. (Items 25A through 25E)

- 25A AGMT – WAGES AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PART-TIME CIVIL SERVICE EMPLOYEES – With Service Employees International Union Local 721 (SEIU) - Personnel Services Agency

- 25B AGMT – INSTALLATION OF A CELLULAR EQUIPMENT BUILDING AND SPORTS LIGHTING MONOPOLE CELL TOWER AT ROSITA PARK – Parks, Recreation, and Community Services Agency

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

Continued from the September 8, 2009 City Council Meeting by a vote of 7-0.

RECOMMENDED ACTION: Continue the matter to the October 5, 2009 City Council Meeting per staff recommendation.

- 25C AGMT – COOPERATIVE AGREEMENT TO DEVELOP THE SANTA ANA REGIONAL TRANSPORTATION CENTER (SARTC) MASTER SITE PLAN AND TO CONDUCT THE SANTA ANA BOULEVARD GRADE SEPARATION STUDY – With Orange County Transportation Authority (OCTA) – Public Works Agency
- 25D AGMT – CABLE TV CONSULTING SERVICES – With Communications Support Group for a one-year period in an amount not to exceed \$85,870 – Parks, Recreation & Community Services Agency
- 25E AGMT – LANDSCAPE MAINTENANCE SERVICES FOR THE SANTA ANA ZOO AT PRENTICE PARK – With Vista Del Verde Landscape, Inc. dba Bevill Landscape Management in the amount of \$112,720 for a one-year term – Parks, Recreation & Community Services Agency

BUSINESS CALENDAR

RESOLUTIONS

- 55A APPROPRIATION ADJUSTMENT AND RESOLUTION TO EXECUTE AGREEMENT WITH COUNTY OF ORANGE FOR GREEN JOB CORPS GRANT - Community Development Agency

RECOMMENDED ACTIONS:

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

APPROPRIATION ADJUSTMENT NO. 10-011 - Recognizing \$84,410 IN American Recovery & Reinvestment Act youth funds awarded to the City of Santa Ana W/O/R/K Center by County of Orange for the California Green Job Corps. Project.

- 2. Adopt a resolution.**

RESOLUTION – A resolution of the City Council of the City of Santa Ana authorizing the City Manager to execute all necessary documents for the Workforce Investment Act Green Job Corps Grant Project with the County of Orange, Orange County Workforce Investment Board

