

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

**AGENDA**

**5:00 P.M.**  
**DECEMBER 21, 2009**

**Police Chief's Conference Room,  
60 Civic Center Plaza, 4<sup>th</sup> 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

**PUBLIC COMMENTS**

Members of the public may address the City Council on items on the Closed Session Agenda.

**CLOSED SESSION ITEMS**

The Brown Act permits legislative bodies to discuss certain matters without members of the public present. The City Council finds, based on advice from the City Attorney, that discussion in open session of the following matters will prejudice the position of the City in existing and anticipated litigation:

**CLOSED SESSION CALENDAR**

**City Council Items**

- 1A            LIABILITY CLAIMS pursuant to Government Code Section 54956.95  
  
                 Claimants: Peter Sandhu Claim No. 2009-133

1B CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6

Agency Negotiators: Personnel Services Executive Director,  
Kathie Gonzalez

Employee Organizations: Santa Ana Service Employees  
International Union (SEIU), Santa Ana  
Police Officers Association, Santa Ana  
Firemen's Benevolent Association.

### **CLOSED SESSION REPORT**

The City Attorney will report on any action(s) to be taken at the Regular Meeting which will begin immediately following the Closed Session Meeting.

### **ADJOURNMENT**



## 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](http://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**

**DECEMBER 21, 2009**

**REGULAR MEETING**

(Immediately following the Closed Session Meeting at 5:00 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 25D.

## ADMINISTRATIVE MATTERS

### MINUTES

- 10A MINUTES OF THE REGULAR MEETING OF DECEMBER 7, 2009 -  
Clerk of the Council Office

**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 - AMEND SECTION 10-280 OF THE SANTA ANA MUNICIPAL CODE RELATING TO FALSE ALARM PENALTY ASSESSMENTS - Police Department

Placed on first reading at the December 7, 2009 City Council meeting and approved by a vote of 6-0 (Tinajero absent).

Published in the Orange County Reporter on December 12, 2009.

**RECOMMENDED ACTION:** Place ordinance on second reading and adopt.

ORDINANCE NO. NS-2800 – An ordinance of the City Council of the City of Santa Ana amending Section 10-280 of the Santa Ana Municipal Code relating to False Alarm Penalty Assessments

- 11B ORDINANCE - ZONING ORDINANCE AMENDMENT NO. 2009-07 TO AMEND THE PROVISIONS OF CHAPTER 41 PERTAINING TO WATER EFFICIENT LANDSCAPING AND ADOPT NEW REGULATIONS FOR WATER EFFICIENT LANDSCAPING - Planning and Building Agency

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

Published in the Orange County Reporter on December 12, 2009.

**RECOMMENDED ACTION:** Place ordinance on second reading and adopt.

ORDINANCE NO. NS-2801 – An ordinance of the City Council of the City of Santa Ana amending Chapter 41 of the Santa Ana Municipal Code to update the City's water efficiency standards for proposed development projects with substantial landscaping

## **BOARDS / COMMISSIONS**

### 13A APPOINTMENTS

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

**RECOMMENDED ACTION:** Appoint Joe Yañez (Ward 4 resident) to the Community Redevelopment and Housing Commission nominated by Councilmember Benavides as the Ward 4 representative for a partial term expiring December 14, 2010 (replacing Roman Reyna).

## **MISCELLANEOUS ADMINISTRATION**

### 19A CLOSED SESSION REPORT - City Attorney's Office

### 19B EXCUSED ABSENCES - Clerk of the Council Office

## **BUDGETARY MATTERS**

## **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 25D)

25A **AGMT - AUTOMATED PARKING CITATION SYSTEM** - Execute an amendment with the Phoenix Group Information Systems in an amount not to exceed \$275,000 for a one-year term - Police Department

25B **AGMT - CELLULAR ANTENNA AT ROSITA PARK** - Parks, Recreation & Community Services Agency

### **RECOMMENDED ACTIONS:**

1. Direct the City Attorney to prepare and authorize the City Manager and the Clerk of the Council to execute an agreement subject to non-substantive changes approved by the City Manager and City Attorney.

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

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

APPROPRIATION ADJUSTMENT NO. 10-061 - Recognizing the \$33,040 in the Capital Outlay Fund revenue account and appropriate the same to the Capital Outlay Fund expenditure account.

**3. Receive and file Categorical Exemption for Environmental Review No. 2008-241 (Rosita Park)**

25C **AGMT - TRANSPORTATION SYSTEM IMPROVEMENT AREA FEE STUDY** - Public Works Agency

**RECOMMENDED ACTIONS:**

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

AGMT - With Kimley Horn and Associates in the amount not to exceed \$400,000.

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

APPROPRIATION ADJUSTMENT NO. 10-059 - Recognizing the \$75,000 in unanticipated prior years Area E Fund 34 revenue and appropriate same amount to the New Transportation System Improvement Area E.

25D **AGMT - EXTENDED LIBRARY HOURS-COOPERATIVE AGREEMENT** - With the Santa Ana Unified School District in an amount not to exceed \$59,928 - Parks, Recreation & Community Services Agency

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

## BUSINESS CALENDAR

### **RESOLUTIONS**

- 55A RESOLUTION – ABANDONMENT NO. 08-01-S: SUMMARY VACATION OF SUGAR AVENUE RIGHT OF WAY EAST OF SUSAN STREET AND NORTH OF MCFADDEN AVENUE - Public Works Agency

***RECOMMENDED ACTION: Adopt a resolution.***

RESOLUTION – A resolution of the City Council of the City of Santa Ana approving the summary vacation of Sugar Avenue public service easement on the east side of Susan Street and north of McFadden Avenue

- 55B RESOLUTION – SAFE ROUTES TO SCHOOL GRANT FOR IMPROVEMENTS ALONG JIM THORPE ELEMENTARY SCHOOL ROUTE – Public Works Agency

***RECOMMENDED ACTION: Adopt a resolution.***

RESOLUTION – A resolution of the City Council of the City of Santa Ana authorizing the Executive Director of the Public Works Agency to execute a grant award agreement with the California Department of Transportation for the Safe Routes to School Program

- 55C RESOLUTION – ORANGE COUNTY TAXI ADMINISTRATION PROGRAM REGULATIONS – City Manager's Office

***RECOMMENDED ACTION: Adopt a resolution.***

RESOLUTION – A resolution of the City Council of the City of Santa Ana adopting revised Orange County Taxi Administration Program Regulations

**COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)**

**WORK STUDY SESSION**

WSA            UPDATE ON THE CALIFORNIA ENDOWMENT INITIATIVE AND AND  
FAMILY MASTER PLAN PHASE I - Parks, Recreation & Community  
Services Agency

**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** - The next meeting of the City Council is scheduled for Monday, January 4, 2010 at 5:00 p.m. for the Closed Session Meeting immediately followed by the Regular Business Meeting in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.