



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

**COMMUNITY REDEVELOPMENT AGENCY ITEM**

Councilmember Sarmiento excused himself from proceedings of Agenda Item 2A due to a conflict of interest and did not participate in consideration of this item. He left the dais at 5:25 p.m.

2A CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.

Property: 501, 505, 511, 601, 606, 607, 610, 615, 616, 620, 621 & 712 E. Fifth St., 602, 609, 618, 619, 622, 623, 625, 626 & 630 N. Garfield St, 601, 604, 605, 606, 609, 611, 614, 620 & 622 N. Lacy St., 612, 614, 622, 626, 714 & 804 E. Santa Ana Blvd., 601, 602, 709, 710, 711, 714 & 720 E. Sixth St., 801, 809, 901 & 905 Brown St., and 611 N. Minter St.

Agency negotiator: Cindy Nelson, Executive Director

Party with whom negotiating: Related California/Griffin Realty Corp.

Under negotiation: Terms of Sale and Development of Property

**ADJOURNED**

5:54 P.M.

## REGULAR CITY COUNCIL MEETING

### CALLED TO ORDER

COUNCIL CHAMBER  
22 CIVIC CENTER PLAZA  
SANTA ANA, CA  
6:08 P.M.

### ATTENDANCE

COUNCILMEMBERS Present:  
MIGUEL PULIDO, Mayor  
CLAUDIA ALVAREZ, Mayor Pro Tem  
P. DAVID BENAVIDES  
CARLOS BUSTAMANTE  
MICHELE MARTINEZ  
VINCENT F. SARMIENTO  
SAL TINAJERO

STAFF Present:  
DAVID N. REAM, City Manager  
JOSEPH FLETCHER, City Attorney  
MARIA D. HUIZAR, Clerk of the Council

### PLEDGE OF ALLEGIANCE

MAYOR PULIDO

### INVOCATION

Melissa Rusler, Police Chaplain

### PRESENTATIONS

**EMPLOYEE SERVICE AWARDS** presented by MAYOR PULIDO to:

- |                     |   |
|---------------------|---|
| 20 YEARS OF SERVICE | <ul style="list-style-type: none"><li>• Rex K. Irwin, Maintenance Worker II, Public Works Agency</li><li>• Gregory E. Ware, Fleet Equipment Technician II, Finance &amp; Management Services Agency</li></ul> |
| 25 YEARS OF SERVICE | <ul style="list-style-type: none"><li>• Timothy P. Poissant, Fire Engineer, Fire Department</li></ul>   |
| 45 YEARS OF SERVICE | <ul style="list-style-type: none"><li>• Herbert Mahaffey, Firefighter, Fire Department</li></ul>  |

**CITY TILE** presented by MAYOR PULIDO to Fred Bella for his years of service on the Orange County Vector Control District Board.

**CERTIFICATE OF RECOGNITION** presented by COUNCILMEMBER TINAJERO to Claudio Gallegos for his service on the Environmental & Transportation Advisory Committee.

**CITY TILE** presented by COUNCILMEMBER TINAJERO to Philip Chinn for his service on the Historic Resources Commission.

**CERTIFICATES OF RECOGNITION** presented by COUNCILMEMBER SARMIENTO to Orange Housing Development, Lighthouse Community Center, VT Construction, and C & C Development for efforts and contributions to build the Lighthouse Community Center playground.

**CERTIFICATES OF RECOGNITION** presented by COUNCILMEMBER BENAVIDES to the Westend Community Oriented Policing Association that organized the Westend Christmas Celebration, and to Richard Kelter for his generous monetary contribution to the event.

**CERTIFICATES OF RECOGNITION** presented by COUNCILMEMBER BENAVIDES to Orange County Lowrider Alliance and 80/20 Marketing that organized the 2<sup>nd</sup> Annual, Classic Car Show and Toy Drive in the Barrio.

**CERTIFICATES OF RECOGNITION** presented by COUNCILMEMBER BENAVIDES to Orange County Health Care Agency and Starbright foundation, along with Village Meadows, Warwick Square, Regency West, Chatman Village, and Las Fuentes Apartment Complex for coordinating 'Navidad En El Barrio' event on Lyon Street.

**CLOSED SESSION REPORT** – None.

**PUBLIC COMMENT ON AGENDA ITEMS**

- Steve McGuigan, representing the Friends of the Santa Ana Zoo, invited residents and the City Council to attend the various events being held at the Santa Ana Zoo during calendar year 2010;
- Thomas Gordon commented on the City's graffiti ordinance and the impact of graffiti on the City.

**CONSENT CALENDAR**

***MOTION:*** Approve staff recommendations on Consent Calendar Items 10A through 31B with the following modifications:

- Councilmember Benavides tabled Item 13A indefinitely;
- Mayor Pro Tem Alvarez pulled Items 13D and 31B for separate discussion.

**MOTION:** Tinajero

**SECOND:** Benavides



**MOTION:** Requested a formal investigation be prepared by the Orange County Human Relations Commission on allegations of discrimination by outgoing Vector Control District Board member Fred Bella and table indefinitely the appointment of a representative to the Orange County Vector Control District.

**MOTION:** Alvarez                      **SECOND:** Sarmiento

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Sarmiento, Tinajero, Pulido (7)

**NOES:**            None (0)

**ABSTAIN:**        None (0)

**ABSENT:**         None (0)

13E            APPOINT HISTORIC RESOURCES COMMISSION MEMBER – Clerk of the Council Office

**MOTION:** Appoint Richard Salvetta (Ward 6 resident) to the Historic Resources Commission nominated by Councilmember Tinajero as the Ward 6 representative for a partial term expiring December 14, 2010. (replacing Philip Chinn)

#### **MISCELLANEOUS ADMINISTRATION**

19A            CLOSED SESSION REPORT – None.

19B            EXCUSED ABSENCES - None.

#### **BUDGETARY MATTERS**

#### **APPROPRIATION ADJUSTMENTS**

20A            APPROPRIATION ADJUSTMENT FOR SAFE ROUTE TO SCHOOL (SR2S) STATE PROGRAM GRANTS - Public Works Agency

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

APPROPRIATION ADJUSTMENT NO. 10-064 – Accepting \$141,659 into the Traffic Safety Management Grant revenue account and appropriate the funds to expenditure account for the purpose of implementing the Safe Route to School Project.

**SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES**

***MOTION:*** Award in accordance with Request for Council Action. (Items 22A through 22H)

- 22A SPEC NO. 05-072 - MISCELLANEOUS CONSTRUCTION MATERIALS - Renew the contract with The Home Depot for a one-year period in an annual amount not to exceed \$95,000 - Finance & Management Services Agency
- 22B SPEC. NO. 09-055 - LEASED VEHICLES - Award a contract to Enterprise Fleet Services for a three-year period with provision for one, three-year renewal in an annual amount not to exceed \$145,000 (Police, Fire, and Community Development Agency) - Finance & Management Services Agency
- 22C SPEC. NO. 06-167 - LIBRARY CATALOGING AND PURCHASE OF BOOKS AND MATERIALS - Renew the contract with Brodart Company for a one-year period in an annual amount not to exceed \$267,000 (Parks, Recreation & Community Services Agency) - Finance & Management Services Agency
- 22D SPEC. NO 08-027 - BACKFILL-STAFFING - (FINANCE & MANAGEMENT SERVICES AGENCY) - Renew the contracts for back-fill staffing for a one-year period with in an annual aggregate amount not to exceed \$95,000 with the following vendors:
- | <u>VENDOR</u>  | <u>LOCATION</u> |
|--|-----------------|
| Accountants International (former Accounts Inc. including merger with Account Pro) | Irvine          |
| APR Consulting Inc.  | Irvine          |
| Government Staffing Services Inc. (former Munitemps)                               | Riverside       |
- 22E SPEC. NO 09-061 - COMMVault PREMIER SOFTWARE MAINTENANCE RENEWAL - Award a contract to En Pointe Technologies for a one-year period, with provision for two, one-year renewals in an annual amount not to exceed \$30,000 - Finance & Management Services Agency

- 22F SPEC. NO. 09-009 - AUTOMOTIVE PARTS - Renew the contract with Orange County Auto Parts Inc. for a one-year period in the annual amount not to exceed \$50,000 - Finance & Management Services Agency
- 22G SPEC. NO. 06-066 - UNLEADED FUEL - Renew the contract with G.P. Resources, Inc., for a one-year period in an annual amount not to exceed \$900,000 - Finance & Management Services Agency
- 22H SPEC. NO. 09-063 - DIESEL EMISSION CONTROL SYSTEM - Award a contract to Ironman Parts & Services, using the City of National City's contract in an amount not to exceed \$46,857.49 - Finance & Management Services Agency

**AGREEMENTS**

***MOTION:*** 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 25G)

- 25A ACQUISITION OF RIGHT OF WAY FOR THE DYER / REDHILL INTERSECTION WIDENING PROJECT - Public Works Agency
- AGMT NO. 2010-001 - With Kinco Redhill, LLC, for \$491,335  
 AGMT NO. 2010-002 - With Kinco Redhill, LLC, for \$122,065  
 AGMT NO. 2010-003 - With HPT CW Properties Trust for \$1,703,585
- 25B AGMT NO. 2010-004 - ENGINEERING SERVICES FOR FIRST STREET BRIDGE WIDENING (PROJECT 061723) - Execute an amendment with AECOM in an amount not to exceed \$121,200 for a total contract amount of \$1,160,000 - Public Works Agency
- 25C AGMT NO. 2010-005 - THE SR-55 / MACARTHUR BLVD. ON-RAMPS WIDENING (PROJECT NO. 072503) - Execute an amendment with PBS&J, in an amount not to exceed \$45,000 for a total contract amount of \$391,000 - Public Works Agency
- 25D AGMT NO. 2010-006 - CABLE EQUIPMENT MAINTENANCE AND VIDEO ENGINEERING SERVICES - Execute an amendment with Video Engineering Services in an annual amount not to exceed \$99,660 - Parks, Recreation & Community Services Agency
- 25E AGMT NO. 2010-007 - FLOWER STREET BIKE TRAIL AND BRISTOL WIDENING PROJECTS COOPERATIVE WORK AGREEMENT - With the Department of Transportation to extend the completion deadline and scope of work - Public Works Agency

- 25F AGMT NO. 2010-008 - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE - Execute an amendment with Fair Housing Orange County in the amount of \$5,800 for a total agreement amount not to exceed \$78,000 - Community Development Agency
- 25G AGMT NO. 2010-009 - GO LOCAL PROGRAM STEP 2 PUBLIC OUTREACH (PROJECT 09-2505) – With Consensus Inc. in the amount of \$50,000 - Public Works Agency

**CONDITIONAL USE PERMIT / VARIANCES**

- 31A MODIFICATION TO CONDITIONAL USE PERMIT NO. 2006-21 AND VARIANCE NO. 2009-04 TO ALLOW AN INCREASE IN HEIGHT FOR A SECOND CARRIER ON AN EXISTING 60-FOOT HIGH FACILITY - 2649-3/4 WEST FIRST STREET - SEQUOIA DEPLOYMENT SERVICES, APPLICANT - PLANNING AND BUILDING AGENCY

Recommended action approved by the Planning Commission on December 14, 2009 by a vote of 6-0.

**MOTION:** Receive and file the staff report approving modification to Conditional Use Permit No. 2006-21 as conditioned and Variance No. 2009-04 as conditioned.

- 31B MODIFICATIONS TO VARIANCE NO. 2004-09 FOR THE PROOF BAR LOCATED AT 215 NORTH BROADWAY – JUSTIN REUTER AND JOEY MENDES, APPLICANTS

Recommended action approved by the Planning Commission on December 14, 2009 by a vote of 6-0.

**MOTION:** Set matter for Public Hearing at the February 1, 2010 City Council Meeting.

**MOTION:** Alvarez

**SECOND:** Martinez

**VOTE:**       **AYES:**       Alvarez, Benavides, Bustamante, Martinez, Sarmiento, Tinajero, Pulido (7)

**NOES:**       None (0)

**ABSTAIN:**   None (0)

**ABSENT:**   None (0)

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

**PUBLIC HEARING**

75A

**PUBLIC HEARING – ORDINANCE AMENDMENT NO. 2009-02 TO AMEND CHAPTER 30 OF THE SANTA ANA MUNICIPAL CODE TO ESTABLISH A NEW APPLICATION FEE FOR THE PRIVATE PARTY NOMINATION OF PROPERTIES OF THE SANTA ANA REGISTER OF HISTORICAL PROPERTIES**

Legal Notice published in the O.C. Reporter on October 23, 2009 and October 28, 2009.

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

**MOTION: Continue the matter to the February 1, 2010 City Council Meeting, per staff's request.**

**MOTION:** Alvarez                      **SECOND:** Martinez

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Sarmiento, Tinajero, Pulido (7)

**NOES:**            None (0)

**ABSTAIN:**       None (0)

**ABSENT:**        None (0)

**COUNCIL AGENDA ITEMS**

Pursuant to Santa Ana Charter Section 411, any member of the City Council may place items on the City Council Agenda to be considered by the City Council.

85A

**LETTER OF SUPPORT – STOP SALE OF THE ORANGE COUNTY FAIRGROUNDS (MARTINEZ)**

**MOTION: Send letter of support for AB 1590 related to the sale of the Orange County Fair and Event Center to State of California Governor's Office.**

**MOTION:** Martinez                      **SECOND:** Sarmiento

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Sarmiento, Tinajero, Pulido (7)

**NOES:**            None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**COUNCIL RECESSED TO THE COMMUNITY REDEVELOPMENT AGENCY AT 7:17 P.M. FOLLOWED BY THE HOUSING AUTHORITY MEETING AT 7:19 P.M.**

**COUNCIL RECONVENED WITH ALL MEMBERS PRESENT**

### **CITY MANAGER AND COUNCIL COMMENTS**

#### **90A CITY MANAGER'S COMMENTS**

City Manager, David Ream, looking forward to better economic year in 2010.

#### **90B CITY COUNCILMEMBER COMMENTS**

##### Councilmember Sarmiento

- Wished everyone a Happy New Year.

##### Councilmember Martinez

- Wished all a Happy New Year;
- Invited the community to consider "A Day of Service" on January 18, 2010, Martin Luther King Day; suggested volunteering with a neighborhood association.

##### Councilmember Bustamante

- Happy New Year to all.

##### Councilmember Tinajero

- Expressed excitement about the New Year and looking forward to continued efforts with the City Council; wished all a Happy New Year.

##### Councilmember Benavides

- Wished everyone a Happy New Year;
- Asked staff to look into a program to report violations and graffiti related issues. City Manager stated information would be forthcoming.

##### Mayor Pro Tem Alvarez

- Happy New Year;

- Highlighted retiring Sergeant John Follo's many contributions to the community and successful 29-year career with the Santa Ana Police Department.

Mayor Pulido

- Wished all a Happy New Year; looking forward to continued efforts to move the City in a positive direction;
- Adjourned in memory of Asif Syed, Workforce Investment Board Member, who passed away in December; highlighted Mr. Syed's contributions to community specifically to individuals with disabilities.

**ADJOURNMENT** – 7:26 p.m. to the next meeting of the City Council is scheduled for Tuesday, January 19, 2010 at 5:00 p.m. for the Closed Session Meeting immediately followed by the Regular Business Meeting in the Police Community Room, 60 Civic Center Plaza, Santa Ana, California.

In Memory of Asif Syed

*Maria D. Huizar*  
Maria D. Huizar,  
Clerk of the Council