

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA, CALIFORNIA**

APRIL 19, 2010

CLOSED SESSION MEETING

CALLED TO ORDER

CONFERENCE ROOM
SOUTHWEST SENIOR CENTER
2201 W. MCFADDEN AVENUE
SANTA ANA, CA
5:15 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
MIGUEL PULIDO, Mayor (5:16 P.M.)
CLAUDIA ALVAREZ, Mayor Pro Tem (5:20
P.M.)
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

PUBLIC COMMENTS - None

CLOSED SESSION ITEMS

- 1A CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
pursuant to Government Code Section 54956.9(a)
- Ross Seehr vs. City of Santa Ana, Case No.: ADJ276838
- Richard Serrato vs. City of Santa Ana, Case Nos.: 1) ADJ6520099,
2) ADJ6520248
- Rosas vs. City of Santa Ana, OCSC Case No. 30-2009-00325274

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 Management Association
Santa Ana Firemen's Benevolent Association
Santa Ana Police Officer's Association
Santa Ana Police Management Association
Santa Ana Fire Management Association
Confidential Association of Santa Ana

ADJOURNED

6:04 P.M.

REGULAR CITY COUNCIL MEETING

CALLED TO ORDER

SOUTHWEST SENIOR CENTER
2201 W. MCFADDEN AVENUE
SANTA ANA, CA
6:09 P.M.

ATTENDANCE

COUNCILMEMBERS Present:
MIGUEL PULIDO, Mayor
CLAUDIA ALVAREZ, Mayor Pro Tem
P. DAVID BENAVIDES (6:13 P.M.)
CARLOS BUSTAMANTE
MICHELE MARTINEZ
VINCENT F. SARMIENTO
SAL TINAJERO (6:10 P.M.)

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

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

CLOSED SESSION REPORT – City Attorney Fletcher provided a report. Refer to Consent Calendar Item 19A.

PUBLIC COMMENTS

- Beatrice Calderon of New Horizons Neighborhood Association expressed concerns with private car sales along McFadden Avenue and business at 2424 McFadden;
- Rosa Maria Pizano commented on illegal sales and raised pavement in the immediate area of the Southwest Senior Center, park and elementary school;
- George Garcia commented on agenda items 23A and 25B and concerned with condition of the surrounding area;
- Will B. King commented on different issues of personal concern;
- Rick Niedermayer commented agenda item 23A; and rental costs of public facilities for non-profit organization;
- Jose Rea of Madison Park Association thanked the Mayor and Council for completing the Streets Rehabilitation Program ahead of schedule, commented on necessity of green space and invited all to a Community Forum on May 8 at St. Anne's Catholic Church;
- Carlos Benitez presented Mayor Pulido and Councilmembers Sarmiento and Martinez with a plaque for their contributions to the Federacion Internacional de Clubes Guerrerenses; and

- Medardo Rivas representing Pentecostal Church of God requested assistance in locating new facility for their growing church; Councilmember Martinez to assist with this endeavor.

CONSENT CALENDAR ITEMS

MOTION: Approve staff recommendations on Consent Calendar Items 10A through 25B.

MOTION: Alvarez

SECOND: Benavides

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

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

ADMINISTRATIVE MATTERS

MINUTES

10A MINUTES OF THE REGULAR MEETING OF APRIL 5, 2010 - Clerk of the Council Office

MOTION: Approve Minutes.

BOARDS / COMMISSIONS / COMMITTEES

13A BOARDS AND COMMISSIONS BIENNIAL ATTENDANCE REPORT – OCTOBER 2009 THROUGH MARCH 2010 – Clerk of the Council Office

MOTION: Receive and file Boards and Commissions Biannual Attendance Report.

13B APPOINTMENT – PERSONNEL BOARD - Clerk of the Council Office

MOTION: Appoint Maria-Isabel Rivera (Ward 1 resident) to the Personnel Board nominated by Councilmember Sarmiento as the

**Ward 1 representative for a term expiring December 11, 2012.
(replacing M. Macres)**

13C APPOINTMENT – PERSONNEL BOARD - Clerk of the Council Office

***MOTION:* Appoint Eugen C. Andres to the Personnel Board nominated by Mayor Pulido as the Mayoral representative for a term expiring December 14, 2010. (replacing L. Means)**

13D APPOINTMENT – HISTORIC RESOURCES COMMISSION - Clerk of the Council Office

***MOTION:* Appoint Alfonso Bustamante (Ward 2 resident) to the Historic Resources Commission nominated by Councilmember Martinez as the Ward 2 representative for a term expiring December 14, 2010. (replacing J. Dickman)**

13E APPOINTMENT - NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE – City Manager’s Office

***MOTION:* Appoint Mayor Pro Tem Claudia Alvarez to the Newport Bay Watershed Executive Committee for a term expiring December 1, 2012.**

MISCELLANEOUS ADMINISTRATION

19A CLOSED SESSION REPORT – City Attorney’s Office

***MOTION:* Approve settlements as follow:**

- **Ross Seehr vs. City of Santa Ana, Case No.: ADJ276838, Compromise and Release in the amount of \$75,000**
- **Richard Serrato vs. City of Santa Ana, Case Nos.: 1) ADJ6520099, 2) ADJ6520248, Compromise and Release in the amount of \$85,000**

19B EXCUSED ABSENCES – None.

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

20A APPROPRIATION ADJUSTMENT FOR AMERICAN RECOVERY AND REINVESTMENT ACT RAPID RESPONSE FUNDS - Community Development Agency

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

APPROPRIATION ADJUSTMENT NO. 2010-120 – Recognizing \$173,920 in American Recovery and Reinvestment Act Rapid Response Additional Assistance funds awarded to the City of Santa Ana WORK Center

PROJECTS/CHANGE ORDERS

23A CONTRACT AWARD FOR PLAZA OF THE FOUNTAINS PLANTER RENOVATION AND EXPANSION JOINT REPAIR (PROJECT NOS. 099109 & 099107) - Public Works Agency

MOTION:

1. Award a contract to Park West Landscape, Inc., the lowest responsible bidder, in accordance with the base bid in the estimated amount of \$532,588.46 for construction of Plaza of the Fountains Planter Renovation and Expansion Joint Repair.
2. Approve a Funding Analysis with a total estimated construction cost of \$665,700 which includes construction, contract administration, inspection, testing, and contingency costs.

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 and 25B)

25A AGMT NO. 2010-068 - FINANCIAL SYSTEM MAINTENANCE SUPPORT AND SERVICE - With Lawson Software Americas, Inc. in an annual amount not to exceed \$190,000 with provision for two, one-year renewals with mutually agreed upon increases - Finance & Management Services

25B

AGMT NO. 2010-069 - COOPERATIVE AGREEMENT FOR THE NEWPORT BAY WATERSHED MANAGEMENT AREA - With the County of Orange - Public Works Agency

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

BUSINESS CALENDAR

RESOLUTIONS

55A FISCAL YEAR HOMELAND SECURITY GRANT PROGRAMS - METROPOLITAN MEDICAL RESPONSE SYSTEM 2009 - Fire Department

MOTION:

1. Adopt a resolution.

RESOLUTION NO. 2010-014 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE CITY MANAGER AND THE FIRE CHIEF TO SUBMIT A GRANT APPLICATION TO THE STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES FOR THE FY2009 METROPOLITAN MEDICAL RESPONSE SYSTEM GRANT PROGRAM

2. Authorize the City Manager and the Clerk of the Council to execute a sub-grantee agreement subject to non-substantive changes approved by the City Manager and City Attorney.

AGMT NO. 2010-070 – With Orange County in the amount of \$316,403 for the 2009 Homeland Security Grant Programs, Metropolitan Medical Response System grant.

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

APPROPRIATION ADJUSTMENT NO. 2010-121 – Recognizing the 2009 Homeland Security Grant Programs, Metropolitan Medical Response System grant funds and appropriate the same into the 2009 Metropolitan Medical Response System grant expenditure account.

MOTION: Alvarez

SECOND: Martinez

VOTE:

AYES:

Alvarez, Benavides, Bustamante, Martinez, Sarmiento, Tinajero, Pulido (7)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

55B AUTHORIZING THE SUBMITTAL OF PROPOSITION 84 URBAN GREENING FOR SUSTAINABLE COMMUNITIES GRANT APPLICATION FOR BIRCH PARK IMPROVEMENTS - Parks, Recreation & Community Services Agency

MOTION:

1. Adopt a resolution.

RESOLUTION NO. 2010-015 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

2. Receive and file Categorical Exemption for Environmental Review No. 2010-62 (Birch Park).

MOTION: Alvarez **SECOND:** Martinez

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

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

COMMENTS

90A CITY MANAGER'S COMMENTS – None.

Councilmember Martinez:

- Joint meeting with the Santa Ana Unified School District discussed various issues including the six low performing schools in jeopardy of closing down; urged public to contact schools.

Councilmember Benavides:

- Appreciated the Council Meeting held in facility within Ward 4, highlighted efforts made to improve the area and invited all to tour the newly renovated Jerome Center.

Mayor Pro Tem Alvarez:

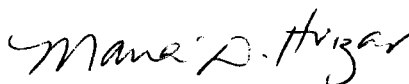
- Commented on recent decision by Board of Recreation and Parks to study feasibility of a dog park; supports concept;
- Reported on recent press conference highlighting Street Rehabilitation Program completed under-budget and two years ahead of the schedule;
- Congratulated the following Santa Ana Unified School District schools on receiving the prestigious 2010 California Distinguished Schools Award: Carl Harvey Elementary; Dr. Martin Luther King Jr. Elementary; El Sol Santa Ana Science and Arts Academy; Jim Thorpe Fundamental; Madison Elementary; and Martin R. Heninger Elementary.

WORK STUDY SESSION

WSA JEROME CENTER TOUR, (726 S, CENTER STREET, SANTA ANA) - Parks, Recreation & Community Services Agency

Gerardo Mouet, Executive Director of Parks and Recreation, announced a tour of the newly refurbished Jerome Center would take place and invited the Council and members of the public to participate.

ADJOURNMENT - at 7:38 p.m. to the next meeting of the City Council is scheduled for Monday, May 3, 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.



Maria D. Huizar,
Clerk of the Council