

CITY OF SANTA ANA
CITY COUNCIL AND
COMMUNITY REDEVELOPMENT AGENCY
CLOSED SESSION MEETING

AGENDA

5:00 P.M.
MARCH 1, 2010

City Hall, 8th Floor, Room 831
20 Civic Center Plaza,
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 CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54956.8.

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

Community Redevelopment Agency Items

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

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

City Council Meeting Agenda

March 1, 2010

CLOSED SESSION
City Hall, 8th Floor, Room 831
20 Civic Center Plaza
5:00 PM

REGULAR MEETING
CITY COUNCIL CHAMBER
22 Civic Center Plaza
(Immediately following the Closed Session Meeting)



Miguel A. Pulido
Mayor

Claudia Alvarez
Mayor Pro Tem – Ward 5

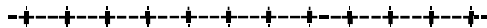
Michele Martinez
Councilmember - Ward 2

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 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 Comments/Public Input - Pursuant to Government Code Sec. 54954.3, the public may address the City Council, Community Redevelopment Agency, and/or Housing Authority on any and all matters within the City of Santa Ana's jurisdiction.

At the discretion of the Chair, at the first Public Comment portion of the meeting, all comments may be considered jointly. The public will be given the opportunity to speak on any and all matters contained on any of the Consent Calendar and Business Calendar items and/or on issues of public interest within the jurisdiction of the City. For public hearings, members of the public shall be given three (3) minutes for each duly noticed hearing (unless the matter is continued prior to taking public testimony). All requests to speak shall be submitted in writing to the Clerk of the Council at the beginning of the meeting and before Public Comments begin. 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 CHAIR. 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.

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 meetings will be televised and available for viewing on the City's cable channel. 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 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 the day after the meeting.

DVD copies of the meetings for loan will be available for public circulation at the Santa Ana Main Library the day after a meeting.

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

MARCH 1, 2010

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

INVOCATION

Rita Gutierrez, Police Chaplain

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

PRESENTATIONS

EMPLOYEE SERVICE AWARDS presented by MAYOR PULIDO to:

- 20 YEARS OF SERVICE • Patricia Flynn; Zoo Education Specialist, Parks, Recreation & Community Services
- 25 YEARS OF SERVICE • Michael W. Gross, Fire Engineer, Fire Department
- Gregory Weston, Computer Operator, Finance & Management Services

CERTIFICATE OF TRIBUTE presented by MAYOR PRO TEM ALVAREZ commemorating the life of Juanita Sarmiento presented to Cruz Sarmiento and family

CERTIFICATE OF RECOGNITION presented by MAYOR PRO TEM ALVAREZ to Alexis Rodriguez from Santa Ana High School for receiving a \$170,000 scholarship from Wabash College in Indiana

CERTIFICATE OF RECOGNITION presented by MAYOR PRO TEM ALVAREZ to Mothers Against Drunk Driving (MADD) in recognition of its continuing efforts in the fight against drunk driving

CERTIFICATES OF RECOGNITION presented by COUNCILMEMBER MARTINEZ to the Santa Ana College Wrestling Team “Dons” in recognition of becoming State Champions:

Jaime Martinez - State Champion
Bobby Scofield - State Champion
Jose Navarro - State Champion
Ted Bristol - 3rd Place
Daniel Kennedy - 3rd Place
Jimmy Botheras – 3rd Place
Jason Arreola – 4th Place
RJ Pilkington – 4th Place
Luis Onofre – 4th Place
Brian Klevias – 5th Place

Coach Vince Silva – Southern
California Coach of the Year
& California Coach of the
Year
Coach Vito Becerra Southern
California Assistant Coach of
the Year & California
Assistant Coach of the Year

CITY TILE presented by COUNCILMEMBER SARMIENTO to Phillip Schaefer for his service on the Historic Resources Commission

CLOSED SESSION REPORT

The City Attorney will report items to be added to Consent Calendar Item 19A from the Closed Session meeting.

PUBLIC COMMENT

Pursuant to Government Code Sec. 54954.3, the public may address the City Council, Community Redevelopment Agency, and/or Housing Authority on any and all matters within the City of Santa Ana's jurisdiction.

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CONSENT CALENDAR

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar items: Items 10A through 25K

ADMINISTRATIVE MATTERS

MINUTES

10A MINUTES OF THE REGULAR MEETING OF FEBRUARY 16, 2010 - Clerk of the Council Office

RECOMMENDED ACTION: Approve Minutes.

MISCELLANEOUS ADMINISTRATION

19A CLOSED SESSION REPORT - City Attorney's Office

19B EXCUSED ABSENCES - Clerk of the Council Office

19C DESTRUCTION OF OBSOLETE CITY RECORDS - City Manager's Office, Community Development Agency, Finance and Management Services, Personnel Services, and Planning and Building Agency - Clerk of the Council Office

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.

19D GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT - Planning and Building Agency

RECOMMENDED ACTION: Authorize submittal of the General Plan Housing Element Annual Progress Report to the State of California Housing and Community Development (HCD).

19E

SUPPORT THE "LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT" - City Manager's Office

RECOMMENDED ACTION: Authorize the Mayor to send a letter to the League of California Cities in support of the "Local Taxpayer, Public Safety and Transportation Protection Act."

BUDGETARY MATTERS

APPROPRIATION ADJUSTMENTS

20A APPROPRIATION ADJUSTMENT ACCEPTING DEVELOPER FUNDS AND AGREEMENTS FOR RAILROAD ENHANCEMENTS (PROJECT 10-6728) - Public Works Agency

RECOMMENDED ACTIONS:

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

APPROPRIATION ADJUSTMENT NO. 10-094 - Accepting \$59,602 into the Select Street Construction Developer Contribution revenue account and appropriate the funds into the Select Street Construction expenditure account.

2. Authorize the City Manager and Clerk of the Council to execute an agreement subject to nonsubstantive changes approved by the City Manager and City Attorney.

AGMT - With Union Pacific Railroad Company in the amount of \$61,333

3. Authorize the City Manager and Clerk of the Council to execute an agreement subject to nonsubstantive changes approved by the City Manager and City Attorney.

AGMT - With the Roman Catholic Bishop of Orange

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

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

- 22A **SPEC. NO. 06-013 - WATER WELL REHABILITATION** - Renew the contract with Orange County Pump Co. for a one-year period in an annual amount not to exceed \$150,000 (Public Works Agency) - Finance & Management Services
- 22B **SPEC. NO. 09-004 - HIGH DENSITY POLYETHYLENE (HDPE) FUSIBLE PIPE** - Amend current contract with ISCO Industries, LLC in an amount of \$15,000, for a total not to exceed \$40,000 and renew the contract for an additional year in an amount not to exceed \$40,000 (Public Works Agency) - Finance & Management Services
- 22C **SPEC. NO. 09-052 - MICROWAVE BASED NETWORK SYSTEM –**
Amend the contract amendment with Pacific Services by \$38,000 for an annual amount not to exceed \$85,000 (Police Department) - Finance & Management Services
- 22D **SPEC. NO. 10-002 & 10-004 - SERVERS & DATA STORAGE** - (Police Department) - Finance & Management Services
1. Award a contract to GovPlace for purchase of four servers and support in an amount not to exceed \$79,000; and
 2. Award a contract to GovConnection for purchase of data storage in an amount not to exceed \$32,000.
- 22E **SPEC. NO. 10-003 - FIRE EQUIPMENT AND SUPPLIES** - Finance & Management Services
1. Amend the current contract with Allstar Fire Equipment, Inc. for fire brush jackets and pants in an amount of \$14,500, for a total annual amount not to exceed \$39,500; and
 2. Renew the contract for the subsequent contract period with Allstar Fire Equipment, Inc. an annual amount of \$50,000.
- 22F **SPEC. NO. 10-005 - DELL COMPUTERS** - Award a contract to Dell Computer Corporation in an amount not to exceed \$20,000 (Parks, Recreation, and Community Services) - Finance & Management Services
- 22G **SPEC. NO. 10-006 - REPAIR OF COMPRESSED NATURAL GAS (CNG) COMPRESSOR** - Award a contract to Gas Equipment Systems Inc. in an amount not to exceed \$28,700 - Finance & Management Services

22H SPEC. NO. 10-007 - MISCELLANEOUS REPAIRS OF FIRE APPARATUS - Award a contract to American LaFrance of Los Angeles for a three year period in an annual amount not to exceed \$50,000 - Finance & Management Services

PROJECTS/CHANGE ORDERS

23A CONTRACT AWARD FOR PLAZA OF THE FOUNTAIN RENOVATIONS (PROJECT NOS. 09-9108 & 08-9097) - Public Works Agency

RECOMMENDED ACTIONS:

1. Award a contract to South Coast Pool Plastering, Inc., the lowest responsible bidder, in accordance with the base bid in the estimated amount of \$249,600 for construction of Plaza of the Fountains Nos. 1 and 3 Renovation.
2. Approve a Funding Analysis with a total estimated construction cost \$312,000

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 25K)

25A AGMT - READY OC EMERGENCY PREPAREDNESS CAMPAIGN - With Westbound Communications for an amount not to exceed \$150,000 - Police Department

25B AGMT - TOBACCO RETAIL LICENSE COMPLIANCE CHECKS & INVESTIGATIONS - With the California State Department of Public Health in an amount of \$75,000 for a one-year term - Police Department

25C AGMT - CROSSING GUARD PROGRAM - With All City Management Services Inc. (ACMS) in an amount not to exceed \$826,783 - Police Department

25D PURCHASE AGREEMENT FOR BRISTOL STREET CORRIDOR (PROJECT NO. 08-1700) - With Ghanshyam Lohiya for the purchase of the property located at 724 N. Bristol in an amount of \$705,000 - Public Works Agency

- 25E AGMT - ENVIRONMENTAL IMPACT REPORT FOR THE SAN LORENZO SEWER LIFT STATION PROJECT LOCATED AT 2909 S. BRISTOL STREET - With T & B Planning in an amount not-to-exceed \$95,274 - Public Works Agency
- 25F AGMT - COMPUTER SOFTWARE MAINTENANCE - With Intergraph in an amount not to exceed \$45,000 per year, for a two-year term - Public Works Agency
- 25G AGMT - ACQUISITION OF RIGHT OF WAY FOR THE OCTA AT- GRADE RAIL SAFETY ENHANCEMENT PROJECT - With Earl Scheib Realty Corp., for the purchase of a portion of the property located at 1102 E. Seventeenth Street in an amount of \$41,185 - Public Works Agency
- 25H AGMT - STREET SWEEPING SERVICES AT THE DEPOT - With TSCM for a one-year period with an additional one-year renewal in an annual amount of \$12,000 - Public Works Agency
- 25I AGMT - COMPREHENSIVE FINANCIAL AUDIT SERVICES – Execute an amendment with Macias Gini & O’Connell, LLP in an amount not to exceed \$355,800 - Finance & Management Services
- 25J AGMT – LANDSCAPE MAINTENANCE SERVICES AT VARIOUS CITY FACILITIES – Execute an amendment with Vista Del Verde Landscape, Inc. in an amount of \$216,557 for a one-year term – Parks, Recreation & Community Services Agency
- 25K AGMTS - FEDERAL NEIGHBORHOOD STABILIZATION PROGRAM (NSP 1 AND NSP 2) - Community Development Agency

RECOMMENDED ACTIONS:

- 1. Authorize the City Manager to execute a Neighborhood Stabilization Program 2 (NSP 2) contract**

AGMT- With the U. S. Department of Housing and Urban Development for grant funds in the amount of \$10,000,000.

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

APPROPRIATION ADJUSTMENT NO. 2010-091 - Recognizing \$10,000,000 in Neighborhood Stabilization Program 2 grant funds and appropriating the same.

- 3. Authorize the City Manager and the Clerk of the Council to execute an agreement for the implementation of the Neighborhood Stabilization Program 2 in the amount of \$9,000,000 plus program income with:**

AGMT - ANR Industries, Inc.

AGMT - Orange Housing Development Corporation and C & C Development

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

APPROPRIATION ADJUSTMENT NO. 2010-092 - Recognizing Neighborhood Stabilization Program 1 (NSP1) program income funds and appropriating the same.

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

AGMT - Execute an amendment with ANR Industries, Inc. for implementation of the single family and Historic Condo components of the Neighborhood Stabilization Program 1 to include program income

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

AGMT - Execute an amendment with Orange Housing Development Corporation and C & C Development for implementation of the Rental Housing component of the programs Neighborhood Stabilization Program 1 to include program income

LAND USE MATTERS

CONDITIONAL USE PERMIT/VARIANCES

31A [CONDITIONAL USE PERMIT NO. 2009-25 TO ALLOW A 60-FOOT HIGH MONOPINE WIRELESS FACILITY – 2100 SOUTH FAIRVIEW STREET](#)

Recommended action approved by the Planning Commission at its February 8, 2010 meeting by a 4-0 vote (Gartner and Yrarrazaval absent)

Applicant: Sequoia Deployment Services

RECOMMENDED ACTION: Receive and file the staff report approving Conditional Use Permit No. 2009-25 as conditioned.

31B VARIANCE NO. 2010-01 TO ALLOW THE INSTALLATION OF A WALL SIGN THAT DOES NOT COMPLY WITH THE HEIGHT AND LOCATION REQUIREMENTS OF THE SIGN CODE – 2890 NORTH MAIN STREET

Recommended action approved by the Planning Commission at its February 8, 2010 meeting by a 4-0 vote (Gartner and Yrarrazaval absent)

Applicant: Mainplace Shoppingtown, LLC

RECOMMENDED ACTION: Receive and file the staff report approving Variance No. 2010-01 as conditioned.

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



RESOLUTIONS

55A EXTENSION OF ENTITLEMENTS FOR CONDITIONAL USE PERMIT NO. 2006-12 AND MINOR EXCEPTION NO. 2006-04 TO ALLOW THE CONSTRUCTION OF A COMMUNITY SERVICE FACILITY FOR THE YMCA OF ORANGE COUNTY AT 2100 WEST ALTON AVENUE - Planning and Building Agency

RECOMMENDED ACTION: Adopt a resolution

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA FOR THE EXTENSION OF ENTITLEMENTS FOR CONDITIONAL USE PERMIT NO. 2006-12 AND MINOR EXCEPTION NO. 2006-04 TO ALLOW THE ESTABLISHMENT AND CONSTRUCTION OF A COMMUNITY SERVICE FACILITY FOR THE YMCA OF ORANGE COUNTY AT 2100 WEST ALTON AVENUE

COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)

HOUSING AUTHORITY MEETING (Blue Agenda)

COMMENTS

PUBLIC COMMENTS (If not considered by the Chair at an earlier time. Please refer to Basic City Council Meeting Information page for details).

90A CITY MANAGER'S COMMENTS

90B CITY COUNCILMEMBER COMMENTS

ADJOURNMENT - The next meeting of the City Council is scheduled for Monday, March 15, 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.

Adjourn In Memory of
Juanita Sarmiento