

DRAFT Minutes of the Regular Meeting of the City Council City of Santa Ana, California



TELECONFERENCE INFORMATION:

Pursuant to Government Code Section 54953(b), Mayor Amezcua and Councilmembers Penaloza and Vazquez will participate in the meeting via teleconference from Bellagio Las Vegas, 3600 Las Vegas Boulevard South, Las Vegas, NV 89109 (with the room number(s) posted in the conference center hallway). The Agenda will be posted at the teleconference location and any member of the public wishing to address the legislative body directly may do so at the teleconference location pursuant to Government Code Section 54954.3.

June 18, 2024

CLOSED SESSION MEETING – 4:30 P.M.

REGULAR OPEN MEETING – 5:30 P.M.

(Immediately following the Closed Session Meeting)

CITY COUNCIL CHAMBER

22 Civic Center Plaza Santa Ana, CA 92701

CLOSED SESSION

CALL TO ORDER

MINUTES: Mayor Amezcua called the Closed Session meeting to order at 4:44 P.M.

ATTENDANCE

Council Members

Mayor Pro Tem
Mayor

Phil Bacerra
Johnathan Ryan Hernandez
Jessie Lopez
David Penaloza
Benjamin Vazquez
Thai Viet Phan
Valerie Amezcua

Acting City Manager	Alvaro Nuñez
City Attorney	Sonia R. Carvalho
City Clerk	Jennifer L. Hall

ROLL CALL

MINUTES: *City Clerk Jennifer L. Hall conducted roll call.*

Councilmembers Penaloza and Vazquez, and Mayor Amezcua were present via teleconference. Councilmembers Bacerra, Hernandez, and Lopez, and Mayor Pro Tem Phan were present in the Chamber.

ADDITIONS\DELETIONS TO CLOSED SESSION

MINUTES: *None.*

PUBLIC COMMENTS – Members of the public may address the City Council on Closed Session items.

MINUTES: *City Clerk Jennifer L. Hall reported out the summary of email comments received: one (1) Closed Session Agenda Item No. 1.*

The following speakers addressed City Council in-person:

- 1. Carlos Perea spoke regarding Closed Session Agenda Item No. 1.*
- 2. Vincent Tran spoke regarding Closed Session Agenda Item No. 1.*
- 3. Claudia Morales (translation: Spanish) spoke regarding Closed Session Agenda Item No. 1.*
- 4. Apolonio Cortes (translation: Spanish) spoke regarding Closed Session Agenda Item No. 1.*

RECESS – City Council will recess to Closed Session for the purpose of conducting regular City business.

MINUTES: *Mayor Amezcua recessed to consider the Closed Session items at 4:55 P.M.*

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:

1. **CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION** pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:
A. James V. Lacy, United States Justice Foundation, California Public Policy Foundation, and Pasquale Talarico v. Jennifer Hall, in her official capacity as Santa Ana City Clerk and Bob Page, in his official capacity as Orange County Registrar of Voters, Orange County Superior Court, Case No. 30-2024-01402208-CU-WM-CJC
2. **PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT** pursuant to Government Code Section 54957(b)(1):
Title: City Manager
3. **CONFERENCE WITH LABOR NEGOTIATOR** pursuant to California Government Code Section 54957.6(a):
Agency Designated Representative(s): Jacob Green, Greg Devereaux
Unrepresented Employee: City Manager

CLOSED SESSION REPORT – The City Attorney will report on any action(s) from Closed Session.

RECONVENE – City Council will reconvene to continue regular City business.

TELECONFERENCE INFORMATION:

Pursuant to Government Code Section 54953(b), Mayor Amezcua and Councilmembers Penaloza and Vazquez will participate in the meeting via teleconference from Bellagio Las Vegas, 3600 Las Vegas Boulevard South, Las Vegas, NV 89109 (with the room number(s) posted in the conference center hallway). The Agenda will be posted at the teleconference location and any member of the public wishing to address the legislative body directly may do so at the teleconference location pursuant to Government Code Section 54954.3.

CITY COUNCIL REGULAR OPEN SESSION

CALL TO ORDER

MINUTES: *Mayor Amezcua reconvened the City Council Meeting to order at 5:45 P.M.*

ATTENDANCE	Councilmembers	Phil Bacerra Johnathan Ryan Hernandez Jessie Lopez David Penaloza Benjamin Vazquez Thai Viet Phan Valerie Amezcua
	Mayor Pro Tem	
	Mayor	
	Acting City Manager	Alvaro Nunez
	City Attorney	Sonia R. Carvalho
	City Clerk	Jennifer L. Hall

ROLL CALL

MINUTES: *City Clerk Jennifer L. Hall conducted roll call.*

Councilmembers Penaloza and Vazquez, and Mayor Amezcua were present via teleconference. Councilmembers Bacerra, Hernandez, and Lopez, and Mayor Pro Tem Phan were present in the Chamber.

PLEDGE OF ALLEGIANCE **Mayor Amezcua**

WORDS OF INSPIRATION **Police Chaplain Rupert Vega**

ADDITIONS\DELETIONS TO THE AGENDA

MINUTES: *City Clerk Jennifer L. Hall announced a revision to Agenda Item No. 16 that the resolution for classification and compensation was removed from consideration.*

CEREMONIAL PRESENTATIONS

1. Certificate of Recognition presented by Councilmember Lopez to Union Trans GNC for their contributions to the community

MINUTES: *Councilmember Lopez presented a certificate of recognition to Union Trans GNC for their contributions to the community.*

CLOSED SESSION REPORT – The City Attorney will report on any action(s) from Closed Session.

MINUTES: *Chief Assistant City Attorney Laura Rossini announced there was no reportable action.*

PUBLIC COMMENTS – Public comments will be held during the beginning of the meeting for ALL comments on agenda and non-agenda items.

MINUTES: *City Clerk Jennifer L. Hall reported out the summary of email comments received: one (1) Agenda Item No. 16, three (3) Agenda Item No. 17, one (1) Agenda Item No. 18, one (1) Agenda Item No. 19, and three (3) non-agenda comments.*

The following speakers addressed City Council in-person:

- 1. Vincent Tran spoke regarding Agenda Item No. 17.*
- 2. Claudia Morales (translation: Spanish) spoke regarding Agenda Item No. 17.*
- 3. Apolonio Cortes (translation: Spanish) spoke regarding Agenda Item No. 17.*
- 4. Carlos Perea spoke regarding Agenda Item No. 17.*
- 5. Mario Reyes asked for assistance regarding the approval for firework fundraising for his organization.*
- 6. Mark Lopez spoke regarding Agenda Item No. 17 and illegal fireworks.*
- 7. George Boutros spoke regarding the Related Bristol project.*
- 8. Carl Benninger spoke regarding the Com-Link Awards, rent control, and electric scooters.*
- 9. Dale Helvig spoke regarding Agenda Item No. 17.*

The following speakers addressed City Council via teleconference:

- 10. Caller 430 expressed concern regarding housing vouchers and inspections.*

11. *Trisha Hernandez expressed concern regarding overflow of dumpsters at her apartment complex.*

<u>CONSENT CALENDAR</u>

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar Items: 2 through 16 and waive reading of all resolutions and ordinances.

MINUTES: *At 6:39 P.M., the Consent Calendar was considered.*

Councilmember Hernandez announced a no vote on Agenda Item No. 12 and requested to comment on Agenda Item Nos. 13 and 14.

Councilmember Penaloza pulled Agenda Item No. 12.

MOTION: Councilmember Hernandez moved to approve Consent Calendar Item Nos. 2 through 16 with the exception of Agenda Item No. 12 pulled for separate discussion and consideration, seconded by Mayor Amezcua.

The motion carried, 7-0, by the following roll call vote:

AYES:	COUNCILMEMBER BACERRA, COUNCILMEMBER HERNANDEZ, COUNCILMEMBER LOPEZ, COUNCILMEMBER PENALOZA, COUNCILMEMBER VAZQUEZ, MAYOR PRO TEM PHAN, MAYOR AMEZCUA
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE
Status:	7 – 0 – Pass

2. Excused Absences

Department(s): City Clerk's Office

Recommended Action: Excuse the absent members.

3. Minutes from the Regular Meeting of June 4, 2024

Department(s): City Clerk's Office

Recommended Action: Approve minutes.

4. Appoint Neylen Adoni Muñoz Nominated by Councilmember Penaloza as the Ward 6 Representative to the Youth Commission for a Partial Term Expiring December 8, 2026

Department(s): City Clerk's Office

Recommended Action: Appoint Neylen Adoni Muñoz to the Youth Commission as the Ward 6 representative and administer the Oath of Office. *(Pursuant to SAMC Sec. 2-326(a), requires five affirmative votes)*

5. **Approve Agreement with Elite Command Training for Training Services in the Amount of \$279,890 for the Urban Areas Security Initiative Grant Program (Non-General Fund)**

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute an agreement, with Elite Command Training to provide on-going training deliverables to the Anaheim/Santa Ana Urban Area on an as-needed basis, for the three-year period of June 18, 2024 through June 17, 2027, with two one-year renewal options, in an amount not to exceed \$279,890 (**Agreement No. 2024-083**).

6. **Approve Agreement with CDCE, Inc. for Mobile Data Communications Equipment and Installation Services (Spec No. 24-064) (General Fund and Non-General Fund)**

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute an agreement with CDCE, Inc. to provide mobile data communications equipment and installation services in an amount not to exceed \$524,724 including a \$25,000 contingency amount, for a term beginning June 18, 2024 and expiring June 17, 2029 (**Agreement No. A-2024-084**).

7. **Approve an Agreement with Community SeniorServ, Inc. dba Meals On Wheels Orange County for the Senior Meals Program (General Fund)**

Department(s): Parks, Recreation, and Community Services

Recommended Action: Authorize the City Manager to execute an agreement with Community SeniorServ, Inc. dba Meals On Wheels Orange County for the Senior Meals Program in an amount of \$90,300 for base services (Home Delivered Meals and Lunch Cafe Programs) and \$9,700 for additional as needed services, for a total not to exceed amount of \$100,000 for the period July 1, 2024 to June 30, 2025 to be funded by the General Fund (**Agreement No. A-2024-085**).

8. **Approve an Agreement with Coach Max Corp and Elite Executive Charter, LLC to Provide Charter Bus Transportation Services (General Fund)**

Department(s): Parks, Recreation, and Community Services

Recommended Action: Authorize the City Manager to execute aggregate agreements with Coach Max Corp and Elite Executive Charter, LLC to provide charter

bus transportation for City programs and events for a term from July 1, 2024 through June 30, 2027, with two (2), one (1) year renewal options for a total amount, including extensions, not-to-exceed \$500,000 (General Fund) (**Agreement Nos. A-2024-086 and A-2024-087**).

9. Adopt a Resolution and Approve an Appropriation Adjustment to Accept the State California Volunteers Award Agreement JP2017-GFI

Department(s): Community Development Agency

Recommended Action:

1. Adopt a resolution to accept the State California Volunteers grant award, and authorize the City Manager to enter into State of California – Department of General Services, Standard Agreement No. JP2017-GF1 (Grant Agreement) for \$2,000,000 for the Youth Employment Project (Project).

RESOLUTION NO. 2024-027 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE ACCEPTANCE OF GRANT FUNDS FOR CALIFORNIA VOLUNTEERS 2023 #CALIFORNIANSFORALL YOUTH SERVICE CORPS THROUGH THE STATE OF CALIFORNIA FOR THE CITY OF SANTA ANA YOUTH EMPLOYMENT PROJECT

2. Authorize the City Manager, or designee, to conduct all negotiations, sign, and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Project scope, including but not limited to agreements with contractors, consultants, and vendors detailed in Exhibit B Budget Detail of the Grant Agreement.
3. Approve an appropriation adjustment to recognize \$2,000,000 in funds from ARPA - CA FOR ALL YOUTH WDP-State Grant-Direct account (no. 18318002-52025) and appropriating the same amount to expenditure account (no. 18318763-various). (*Requires five affirmative votes*)

10. Adopt a Resolution Approving the City's Annual Statement of Investment Policy 2024-2025; Receive and File Annual Statement of Investment Policy 2024-2025

Department(s): Finance and Management Services

Recommended Action:

1. Adopt a Resolution approving the City's 2024-2025 Investment Policy.

RESOLUTION NO. 2024-028 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE CITY'S STATEMENT OF INVESTMENT POLICY

2. Receive and file the Annual Statement of Investment Policy 2024-2025.

11. Adopt a Resolution Establishing the Appropriations Limit of the City of Santa Ana for FY 2024-25

Department(s): Finance and Management Services

Recommended Action: Adopt a resolution establishing the appropriations limit of the City of Santa Ana for FY 2024-25, as required by state law.

RESOLUTION NO. 2024-029 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ESTABLISHING THE APPROPRIATION LIMIT OF THE CITY OF SANTA ANA FOR FISCAL YEAR 2024-2025

AGENDA ITEM NO. 12 WAS PULLED FOR SEPARATE DISCUSSION AND CONSIDERATION

12. Adoption of a Memorandum of Understanding (MOU) Establishing the Terms and Conditions of Employment for Classifications Represented by the Santa Ana Police Officers Association (SAPOA) Effective January 1, 2024 through June 30, 2027, and Adoption of a Resolution Updating the Compensation and Salary Schedule of Sworn Classifications of the Santa Ana Police Management Association (SAPMA)

Department(s): Human Resources

Recommended Action:

1. Authorize the City Manager to execute a Memorandum of Understanding with SAPOA regarding wages, hours, and other terms and conditions of employment effective January 1, 2024 through June 30, 2027, and authorize non-substantive changes which may be necessary to implement the agreement (**Agreement No. A-2024-088**); and
2. Approve a Resolution updating the compensation and salary schedule for sworn classifications of the SAPMA.

RESOLUTION NO. 2024-030 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO EFFECT CERTAIN CHANGES TO THE CITY'S CLASSIFICATION AND COMPENSATION PLAN

MINUTES: Councilmember Penaloza spoke in support of the item.

Mayor Amezcua spoke in support of the item and spoke regarding the need to retain and hire personnel.

Councilmember Lopez spoke regarding the City’s structural deficit, asked for clarification regarding the impact and plan for funding the following years, and expressed concern regarding the budget trajectory.

Acting City Manager Alvaro Nuñez spoke regarding the budget and outlook of Measure X.

Councilmember Bacerra spoke in support of the item.

Mayor Pro Tem Phan spoke regarding the cost associated with MOU and previous MOU approvals, and in support of the item.

Councilmember Vazquez spoke in opposition to the item and expressed concern regarding the budget.

Councilmember Hernandez spoke in opposition to the item and spoke regarding having a balanced budget.

Councilmember Penaloza spoke regarding the City’s fiscal future and previous MOU approvals for SAPOA.

Mayor Pro Tem Phan spoke regarding union compensation approvals and police compensation and classification study, and spoke in support of the item.

Councilmember Bacerra spoke regarding the political components.

Councilmember Lopez spoke regarding fair compensation and competitiveness and expressed concern regarding the fiscal impact.

Mayor Pro Tem Phan spoke regarding improving public safety.

Mayor Amezcua spoke regarding the SAPOA pay rankings and the budget survey top two issues – homelessness and public safety.

MOTION: Councilmember Penaloza moved to approve the recommended action for Item No. 12, seconded by Councilmember Bacerra.

The motion carried, 4-3, by the following roll call vote:

AYES:	COUNCILMEMBER BACERRA, COUNCILMEMBER PENALOZA, MAYOR PRO TEM PHAN, MAYOR AMEZCUA
NOES:	COUNCILMEMBER HERNANDEZ, COUNCILMEMBER LOPEZ, COUNCILMEMBER VAZQUEZ
ABSTAIN:	NONE
ABSENT:	NONE
Status:	4 – 3 – Pass

RECESS

MINUTES: Mayor Amezcua recessed the City Council meeting at 7:23 P.M.

RECONVENE

MINUTES: Mayor Amezcua reconvened the City Council meeting at 7:38 P.M.

13. Adopt a Resolution Authorizing Ceremonial Street Naming of Virginia and William Guzman Way (General Fund)

Department(s): Public Works Agency

Recommended Action:

1. Adopt a resolution authorizing the Ceremonial Street Naming of Virginia and William Guzman Way along Santa Ana Boulevard from Pacific Avenue to Forest Avenue.

RESOLUTION NO. 2024-031 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DIRECTING AND AUTHORIZING A CEREMONIAL STREET NAME OF VIRGINIA AND WILLIAM GUZMAN WAY ALONG SANTA ANA BOULEVARD FROM PACIFIC AVENUE TO FOREST AVENUE

2. Direct Staff to install two ceremonial street signs along Santa Ana Boulevard at the intersections of Pacific Avenue and Forest Avenue.

MINUTES: Councilmember Hernandez spoke regarding the historical significance of the ceremonial street sign.

14. Adopt a Resolution Authorizing Ceremonial Street Naming of Warren Bussey Square (General Fund)

Department(s): Public Works Agency

Recommended Action:

1. Adopt a resolution authorizing the Ceremonial Street Naming of Warren Bussey Square at the intersection of Pacific Avenue and Walnut Street.

RESOLUTION NO. 2024-032 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DIRECTING AND AUTHORIZING A CEREMONIAL STREET NAME OF WARREN BUSSEY SQUARE AT THE INTERSECTION OF PACIFIC AVENUE AND WALNUT STREET

2. Direct Staff to install two ceremonial street signs at the intersection of Pacific Avenue and Walnut Street.

MINUTES: Councilmember Hernandez spoke regarding the historical significance of the ceremonial street sign.

15. Second Reading of the Local Resident Preference in Affordable Housing Ordinance

First reading at the June 4, 2024 City Council meeting and approved by a vote of 7-0.

Published in the OC Reporter on June 10, 2024.

Department(s): Community Development Agency

Recommended Action: Conduct a second reading of the Local Resident Preference in Affordable Housing Ordinance to comply with the State of California Local Tenant Preferences to Prevent Displacement Act and codify the City's existing local resident preference policy.

ORDINANCE NO. NS-3066 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CREATING A NEW ARTICLE XXI IN CHAPTER 8 OF THE MUNICIPAL CODE TO CODIFY THE CITY'S LOCAL RESIDENT PREFERENCE IN AFFORDABLE HOUSING (includes determination that the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines)

16. Second Reading and Adoption of City Council Ordinance No. NS-3067 Appropriating Monies to the Several Offices, Agencies, and Departments of the City of Santa Ana for the Fiscal Year Budget Period Commencing July 1, 2024

First reading at the June 4, 2024 City Council meeting and approved by a vote of 7-0.

Published in the OC Reporter on June 10, 2024.

Department(s): Finance and Management Services

Recommended Action: Approve the second reading and adopt Ordinance No. NS-3067 to appropriate monies to the several offices, agencies, and departments of the City for Fiscal Year 2024-25 (FY24-25), which begins on July 1, 2024 and ends on June 30, 2025. *(Requires five affirmative votes)*

UNCODIFIED ORDINANCE NO. NS-3067 entitled AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROPRIATING MONIES TO SEVERAL OFFICES, AGENCIES, AND DEPARTMENTS OF THE CITY FOR FISCAL YEAR BUDGET PERIOD COMMENCING JULY 1, 2024

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

<u>BUSINESS CALENDAR</u>

MINUTES: *At 7:46 P.M., the Business Calendar was considered.*

17. Review of City Charter Amendments Concerning Rent Stabilization Ordinance and Non-Citizen Voting and Resolutions Required to Submit to Voters at the November 5, 2024 Municipal Election Ballot Measures Relating to Proposed Charter Amendments Concerning Ethics Code, Capital Improvement Funds, City Clerk and City Attorney Authority, Civil Service, and Council Compensation

Department(s): City Attorney's Office

Recommended Action:

1. Adopt a resolution giving notice of the City's General Municipal Election to be held in the City of Santa Ana on November 5, 2024 for the submission of questions to the voters relating to proposed amendments to the City Charter;

RESOLUTION NO. 2024-033 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SANTA ANA ON NOVEMBER 5, 2024 FOR THE SUBMISSION TO THE VOTERS OF QUESTIONS RELATING TO THE AMENDMENT OF THE CITY CHARTER IN REGARD TO SECTIONS 401.5 (ETHICS CODE), 402 (COUNCIL COMPENSATION), 611 (CAPITAL IMPROVEMENT FUNDS), 702 (CITY CLERK AUTHORITY), 703 (CITY ATTORNEY AUTHORITY), 1002 (CIVIL SERVICE), AND 1103 (BONDS)

2. Adopt a resolution designating the ballot questions related to the proposed City Charter amendments;

RESOLUTION NO. 2024-034 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA SETTING FORTH THE LANGUAGE OF BALLOT TITLES FOR CITY CHARTER AMENDMENTS REGARDING CLEAN-UP OF OBSOLETE SECTIONS, CIVIL SERVICE, ETHICS CODE, CITY CLERK AND CITY ATTORNEY AUTHORITY AND COUNCIL COMPENSATION TO BE INCLUDED ON THE BALLOT FOR THE 2024 GENERAL MUNICIPAL ELECTION

3. Review City Charter amendments concerning rent stabilization and just cause eviction ordinance and consider whether to adopt revised resolution; and

RESOLUTION NO. 2024-035 entitled RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SANTA ANA ON NOVEMBER 5, 2024 FOR THE SUBMISSION OF A BALLOT MEASURE TO THE QUALIFIED VOTERS PROPOSING A RENT STABILIZATION AND JUST CAUSE EVICTION ORDINANCE AND REQUESTING THE ORANGE COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE THIS ELECTION WITH THE STATEWIDE GENERAL ELECTION

4. Review City Charter amendment concerning non-citizen voting and consider whether to adopt revised resolution.

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SANTA ANA ON NOVEMBER 5, 2024 FOR THE SUBMISSION OF A BALLOT MEASURE TO THE QUALIFIED VOTERS ASKING IF THE CITY OF SANTA ANA SHOULD PERMIT NONCITIZEN VOTING IN ALL CITY MUNICIPAL ELECTIONS

MINUTES: *City Attorney Sonia Carvalho gave a brief report and spoke regarding the proposed rent stabilization resolution.*

Mayor Pro Tem Phan asked for clarification regarding the clean-up language related to the super-majority vote in the ordinance.

City Attorney Carvalho provided clarification regarding the proposed revised ordinance resolution.

MOTION: Mayor Pro Tem Phan moved to approve recommended action No. 3 for Agenda Item No. 17, seconded by Councilmember Hernandez.

The motion carried, 4-3, by the following roll call vote:

AYES:	COUNCILMEMBER HERNANDEZ,	COUNCILMEMBER LOPEZ,	COUNCILMEMBER VAZQUEZ,	MAYOR PRO TEM PHAN
NOES:	COUNCILMEMBER BACERRA,	COUNCILMEMBER PENALOZA,	MAYOR AMEZCUA	
ABSTAIN:	NONE			
ABSENT:	NONE			
Status:	4 – 3 – Pass			

MINUTES: City Attorney Carvalho spoke regarding the AdHoc Committee and the first proposed ballot measure question related to ethics and conduct, CIP fund, bonds, and City Clerk and City Attorney authority.

Councilmember Penalosa suggested the language in section 702 for the City Clerk and section 703 for the City Attorney be changed to “enter into contracts related to the City Clerk/City Attorney based upon the City’s purchasing policies and dollar limitations as established by the City Council.”

Mayor Pro Tem Phan asked for clarification regarding the current proposed language related to authority.

City Attorney Carvalho suggested the language in sections 702 and 703 be amended to allow City Council additional flexibility to state “based upon the City’s purchasing policies and dollar limitations as established for the City Manager or at such other amount established by the City Council.”

Mayor Pro Tem Phan requested the new flexibility language be added.

Councilmember Lopez requested context related to the elimination of the personnel board or enforcement code language.

City Attorney Carvalho stated the proposal does not include an action on the personnel board or enforcement code language.

MOTION: Mayor Pro Tem Phan moved to approve the first ballot measure question (exhibit A) related to ethics and conduct, CIP fund, bonds, and City Clerk and City Attorney authority, as amended to include “or at such other amount established by the City Council” to sections 702 and 703, seconded by Councilmember Penalosa.

The motion carried, 7-0, by the following roll call vote:

AYES:	COUNCILMEMBER BACERRA,	COUNCILMEMBER
	HERNANDEZ,	COUNCILMEMBER LOPEZ,
	COUNCILMEMBER PENALOZA,	COUNCILMEMBER
	VAZQUEZ, MAYOR PRO TEM PHAN,	MAYOR AMEZCUA
NOES:	NONE	
ABSTAIN:	NONE	
ABSENT:	NONE	
Status:	7 – 0 – Pass	

MINUTES: City Attorney Carvalho spoke regarding the second proposed ballot measure question related to council compensation.

Mayor Pro Tem Phan spoke regarding the proposed council compensation.

Councilmember Hernandez spoke in support of the proposed ballot measure.

Councilmember Bacerra spoke regarding the proposed council compensation.

MOTION: Councilmember Bacerra moved to approve the second ballot measure question (exhibit B) related to council compensation, seconded by Mayor Pro Tem Phan.

The motion carried, 4-3, by the following roll call vote:

AYES: COUNCILMEMBER BACERRA, COUNCILMEMBER HERNANDEZ, COUNCILMEMBER LOPEZ, MAYOR PRO TEM PHAN
NOES: COUNCILMEMBER PENALOZA, COUNCILMEMBER VAZQUEZ, MAYOR AMEZCUA
ABSTAIN: NONE
ABSENT: NONE
Status: 4 – 3 – Pass

MOTION: Mayor Pro Tem Phan moved to approve recommended action nos. 1 and 2 for Agenda Item No. 17, seconded by Councilmember Bacerra.

The motion carried, 5-2, by the following roll call vote:

AYES: COUNCILMEMBER BACERRA, COUNCILMEMBER HERNANDEZ, COUNCILMEMBER LOPEZ, COUNCILMEMBER VAZQUEZ, MAYOR PRO TEM PHAN
NOES: COUNCILMEMBER PENALOZA, MAYOR AMEZCUA
ABSTAIN: NONE
ABSENT: NONE
Status: 5 – 2 – Pass

MINUTES: *City Attorney Carvalho gave a brief overview regarding the revised resolution related to non-citizen voting.*

MOTION: Councilmember Vazquez moved to leave the language in the non-citizen voting resolution as is, seconded by Councilmember Hernandez.

Councilmember Hernandez spoke in support of leaving the language as is.

Councilmember Penaloza spoke regarding the City Attorney's neutral language originally proposed and spoke in opposition to the item.

Councilmember Vazquez spoke in support of the original proposed non-citizen voting resolution.

Councilmember Hernandez spoke regarding inclusive language.

Mayor Pro Tem Phan asked for clarification regarding the proposed resolution.

City Attorney Carvalho stated the proposed resolution is a revised resolution in relation to the current lawsuit regarding this matter.

Mayor Pro Tem Phan spoke in support of the original proposed non-citizen voting resolution.

Mayor Amezcua requested data related to costs of the lawsuit.

SUBSTITUTE MOTION: Councilmember Penaloza moved to completely remove the ballot measure question related to non-citizen voting, seconded by Mayor Amezcua.

SECOND SUBSTITUTE MOTION: Mayor Pro Tem Phan moved to keep the ballot language related to the non-citizen voting as adopted in the Fall 2023, seconded by Councilmember Hernandez.

The second substitute motion carried, 4-3, by the following roll call vote:

AYES: COUNCILMEMBER HERNANDEZ, COUNCILMEMBER LOPEZ, COUNCILMEMBER VAZQUEZ, MAYOR PRO TEM PHAN
NOES: COUNCILMEMBER BACERRA, COUNCILMEMBER PENALOZA, MAYOR AMEZCUA
ABSTAIN: NONE
ABSENT: NONE
Status: 4 – 3 – Pass

****END OF BUSINESS CALENDAR****

COUNCILMEMBER REQUEST ITEMS

- 18. Discuss and Consider Providing Direction to the City Manager, City Clerk, and City Attorney to Prepare Necessary Documents to Propose a Cigarette Litter Abatement Tax – Councilmembers Hernandez and Vazquez** *(continued from the City Council meeting of June 4, 2024, Item No. 41)*

MINUTES: *Councilmember Hernandez spoke regarding the proposal of the cigarette litter abatement tax and placing it on the ballot.*

Councilmember Vazquez spoke in support of the item.

Councilmember Bacerra asked for clarification regarding the process of taxing the tobacco industry.

Councilmember Hernandez briefly spoke regarding the potential process of current cities with a cigarette litter abatement tax.

Discussion ensued regarding the proposed cigarette litter abatement tax process and initial research.

City Council reached consensus to received additional information.

19. Discuss and Consider Providing Direction to the City Manager on the Interest in Launching a Street Medicine Program with CalOptima – Mayor Amezcua

MINUTES: *Mayor Amezcua spoke regarding the proposal of launching a street medicine program with CalOptima.*

Councilmember Hernandez spoke in support of the item.

Councilmember Vazquez spoke in support of the item.

Councilmember Lopez spoke in support of the item and spoke regarding potential barriers.

Councilmember Penaloza spoke in support of the item.

Mayor Pro Tem Phan spoke in support of the item and spoke regarding building partnerships.

Acting City Manager Alvaro Nuñez spoke regarding meeting with CalOptima leadership and maximizing partnerships.

City Council reached consensus to move forward.

****END OF COUNCIL REQUESTED ITEMS****

CITY MANAGER COMMENTS

MINUTES: *Acting City Manager Alvaro Nuñez spoke regarding meeting with CalOptima leadership and establishing additional partnerships and provided a brief update on the needle exchange.*

COUNCIL COMMENTS

AB1234 DISCLOSURE – If the City paid for travel or other expenses this is the time for members of the Council to provide a brief oral report on attendance of any regional board or commission meeting or any conference, meeting or event attended.

1. June 18-20, 2024 Councilmember Hernandez – NALEO 41st Annual Conference, Las Vegas, NV
2. June 18-20, 2024 Councilmember Penaloza – NALEO 41st Annual Conference, Las Vegas, NV
3. June 18-20, 2024 Councilmember Vazquez – NALEO 41st Annual Conference, Las Vegas, NV

4. June 18-20, 2024 Mayor Amezcua – NALEO 41st Annual Conference, Las Vegas, NV

MINUTES: Councilmember Vazquez announced his attendance at NALEO Annual Conference and spoke regarding the shooting on Bishop.

Councilmember Lopez spoke regarding shootings in the city and senseless violence and the City of Long Beach's plan to support youth and prevent gang violence, announced office hours at Edna Park at 10:00 A.M., invited all to attend the Juneteenth event at Centennial Park, and congratulated Floral Park being named as neighborhood of the year.

Councilmember Hernandez announced his attendance at NALEO Annual Conference and spoke regarding the shooting of Daniel Vargas and requested a continuity of care in the neighborhood.

Councilmember Bacerra spoke regarding vacancies in the Police Department and requested positions be filled, spoke regarding the violence throughout the city, announced office hours on July 6 at the Segerstrom Triangle, and wished everyone a Happy Fourth of July.

Councilmember Penaloza thanked the Parks, Recreation, and Community Services Agency for Movies at the Park, announced his attendance at NALEO Annual Conference, spoke regarding filling vacancies, and expressed condolences to the Vargas family.

Mayor Pro Tem Phan spoke regarding violence in the city, wished everyone a Happy Fourth of July and a Happy Anniversary to her husband, and thanked Councilmember Lopez for the certificate of recognition today.

Mayor Amezcua thanked the Police Department for addressing shootings in the city, spoke regarding Waymakers, requested record of data for citations related to July 4th, requested Measure X Oversight Committee positions be filled, announced her attendance at NALEO Annual Conference, and wished everyone a Happy Father's Day and Happy Fourth of July.

ADJOURNMENT – Adjourn the City Council meeting.

MINUTES: Mayor Amezcua adjourned the City Council Meeting at 9:30 P.M.

Respectfully submitted:

Jennifer L. Hall, CMC
City Clerk