

# **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 Pro Tem Lopez will participate in the meeting via teleconference from Mayan Palace Riviera Maya Carretera Federal Kilometro 48, Municipio de Solidaridad, Playa del Carmen Quintana Roo, Mexico, 77710. 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.

**January 16, 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 4:40 P.M.

### **ATTENDANCE**

#### **Council Members**

**Phil Bacerra**

**Johnathan Ryan Hernandez**

**David Penaloza**

**Thai Viet Phan**

**Benjamin Vazquez**

**Mayor Pro Tem**

**Jessie Lopez**

**Mayor**

**Valerie Amezcua**

**Interim City Manager**

**Tom Hatch**

**City Attorney**

**Sonia R. Carvalho**

**City Clerk**

**Jennifer L. Hall**

## **ROLL CALL**

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

*Councilmembers Hernandez, Phan, and Vazquez, Mayor Pro Tem Lopez (via teleconference), and Mayor Amezcua were present. Councilmembers Bacerra and Penaloza joined the meeting during Closed Session.*

## **ADDITIONS\DELETIONS TO CLOSED SESSION**

**MINUTES:** *City Clerk Jennifer L. Hall announced Ramon Figueroa as the agency negotiator for Closed Session Item No. 3.*

*Councilmember Phan recused herself from Closed Session Item No. 1 as the listed entity, Orange County Water District, is a client of her employer, Rutan and Tucker.*

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

**MINUTES:** *No public comments were received regarding Closed Session Agenda Items.*

**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 4:41 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:
  - **In re Aqueous Film-Forming Foams Prods. Liability Litigation, United States District Court for the District of South Carolina, Charleston Division, Case No. MDL 2:18-mn-2873-RMG**
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to Government Code Section 54956.8:  
**Property Address:** 849 N. Garnsey St., APN: 005-142-01 **Agency Negotiator:** Interim City Manager Tom Hatch **Negotiating Party:** Carlos J & Olivia Saldivar  
**Terms:** Potential Acquisition
3. **CONFERENCE WITH LABOR NEGOTIATOR** pursuant to Government Code Section 54957.6(a):  
**Agency Negotiator:** Ramon Figueroa, Employee Relations Manager  
**Employee Organization:**

- **Santa Ana Police Officers Association (POA)**

**4. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT pursuant to Government Code Section 54957**

**Title: 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 Pro Tem Lopez will participate in the meeting via teleconference from Mayan Palace Riviera Maya Carretera Federal Kilometro 48, Municipio de Solidaridad, Playa del Carmen Quintana Roo, Mexico, 77710. 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 6:07 P.M.

ATTENDANCE	<b>Councilmembers</b>	<b>Phil Bacerra Johnathan Ryan Hernandez David Penaloza Thai Viet Phan Benjamin Vazquez Jessie Lopez Valerie Amezcua</b>
	<b>Mayor Pro Tem Mayor</b>	
	<b>Interim City Manager City Attorney City Clerk</b>	<b>Tom Hatch Sonia R. Carvalho Jennifer L. Hall</b>

**ROLL CALL**

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

*Councilmembers Bacerra, Hernandez, Penaloza, Phan, and Vazquez, Mayor Pro Tem Lopez (via teleconference), and Mayor Amezcua were present.*

**PLEDGE OF ALLEGIANCE**                      **Mario Alvarado**

**WORDS OF INSPIRATION**                      **Gustavo Hernandez**

**ADDITIONS\DELETIONS TO CLOSED SESSION**

***MINUTES:*** City Clerk Jennifer L. Hall stated that the Agenda Item No. 9 title includes an approval of an appropriation adjustment that is not required and is not part of the recommended action, for Agenda Item No. 11 there was a missing "x" on exhibit c Page 3 of the agreement, and Public Hearing Agenda Item No. 27 has a revised exhibit 3 to correct typographical errors.

**CEREMONIAL PRESENTATIONS**

- 1. Certificate of Recognition presented by Councilmember Bacerra to the Santa Ana College Football Team for Exceptional Athletic Accomplishments**

***MINUTES:*** Councilmember Bacerra presented a certificate of recognition to the Santa Ana Football Team for their exceptional accomplishments.

**2. Certificates of Recognition presented by Councilmember Hernandez to the Sauvecito Foundation and the Midnite Cruisers for Outstanding Contributions to the Community**

***MINUTES:** Councilmember Hernandez presented a certificate of recognition to the Sauvecito Foundation and the Midnite Cruisers for their outstanding contributions to the community.*

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

***MINUTES:** City Attorney Sonia Carvalho stated there were no reportable actions.*

*Mayor Pro Tem Lopez thanked Gustavo Hernandez for the Words of Inspiration.*

*Mayor Amezcua stated the Public Hearings followed by the Business Calendar would be considered prior to the Consent Calendar. She stated the public comment period would be limited to two (2) minutes per speaker.*

**CONSENT CALENDAR WAS MOVED OUT ORDER AND HEARD AFTER THE BUSINESS CALENDAR**

**PUBLIC HEARINGS**

**PUBLIC COMMENTS** – Members of the public may address the City Council on each of the Public Hearing items.

***MINUTES:** At 6:30 P.M., Public Hearings were considered.*

**26. Amendment Application No. 2023-04 and Zoning Ordinance Amendment No. 2023-03 for the expansion of Vista Heritage Charter School located at 601 North Fairview Street**

**Published in the Orange County Reporter on January 5, 2024 and notices mailed on January 4, 2023.**

**Department(s):** Planning and Building Agency

**Recommended Action:**

1. Approve first reading of an ordinance approving Amendment Application (Zone Change) No. 2023-04.

**ORDINANCE NO. NS-3055** entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2023-04 AMENDING THE ZONING FOR THE PROPERTY LOCATED AT 601 NORTH FAIRVIEW STREET (APN: 405-241-04) FROM LIGHT INDUSTRIAL (M1) TO SPECIFIC DEVELOPMENT NO. 82 (SD-82)

2. Adopt first reading of an ordinance approving Zoning Ordinance Amendment (ZOA) No. 2023-03 as conditioned.

**ORDINANCE NO. NS-3056** entitled ZONING ORDINANCE AMENDMENT NO. 2023-03 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING SPECIFIC DEVELOPMENT NO. 82 (SD-82) TO EXPAND THE BOUNDARIES OF THE SD-82 AND TO AMEND VARIOUS SECTIONS OF THE SD-82 TO ALLOW FOR THE CREATION OF THREE (3) LAND USE ZONES, NEW PERMITTED USES AND ANCILLARY USES, AND ADMINISTRATIVE REQUIREMENTS FOR PROPERTY MAINTENANCE, COVENANTS, CONDITIONS AND RESTRICTIONS (CC&RS) AND RECIPROCAL PARKING AND ACCESS AGREEMENTS

3. Determine that, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review per Section 15301 Existing Facilities (Class 1 – Existing Facilities) of the CEQA Guidelines and per Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the CEQA Guidelines.

**MINUTES:** *Planning and Building Director Minh Thai gave a presentation regarding the Vista Heritage Charter School.*

*Mayor Amezcua opened the Public Hearing a 6:39 P.M.*

*The following speakers addressed the City Council in-person:*

1. *Collin Felch, Applicant, spoke in support of the item.*
2. *Illari Olascoaga spoke about her experience at Vista Charter School.*
3. *Leon Raya spoke in support of the project.*
4. *Zoila Lubin spoke in support of the project.*
5. *John Ramirez spoke in support of the project.*

*City Clerk Jennifer L. Hall stated there were no additional speakers and reported out the summary of five (5) email comments received.*

*There being no additional speakers, Mayor Amezcua closed the Public Hearing at 6:50 P.M.*

*Councilmember Hernandez spoke regarding the Vista Charter School and in support of the project, and asked for the demographic of students.*

*Collin Felch spoke regarding the demographic of Vista Charter School.*

**MOTION: Councilmember Bacerra moved to approve the recommended action for Agenda Item No. 26, seconded by Mayor Amezcua.**

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

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

**27. Ordinance Amendment No. 2023-04 Amending Article II.II of Chapter 2 (Sunshine Ordinance) of the Santa Ana Municipal Code (SAMC) Addressing Applicability of Ordinance to Specific Development Amendments; Ordinance Amendment No. 2023- 05 to Update Chapter 14 (Fire Protection and Prevention and Emergency Services) of the SAMC Addressing Eligibility for Permits for the Sale of Safe and Sane Fireworks; and Zoning Ordinance Amendment No. 2023-04 to Update Chapter 41 (Zoning) of the SAMC Addressing Wireless Communication Facilities, Billboards, Hotels, General Restrictions, and Definitions.**

**Published in the Orange County Reporter on January 5, 2024.**

**Department(s):** Planning and Building Agency

**Recommended Action:**

1. Approve first reading of an ordinance amending Article II.II of Chapter 2 (Sunshine Ordinance) of the SAMC addressing applicability of ordinance to specific development amendments.

**ORDINANCE NO. NS-3057** entitled ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 2 (ADMINISTRATION) OF THE SANTA ANA MUNICIPAL CODE RELATING TO PUBLIC INPUT THROUGH COMMUNITY MEETINGS

2. Approve first reading of an ordinance amending Chapter 14 (Fire Protection and Prevention and Emergency Services) addressing eligibility for permits for the sale of safe and sane fireworks.

**ORDINANCE NO. NS-3058** entitled ORDINANCE AMENDMENT NO. 2023-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 14 (FIRE PROTECTION AND PREVENTION AND EMERGENCY SERVICES) OF THE SANTA ANA MUNICIPAL CODE RELATING TO SAFE AND SANE FIREWORKS

3. Approve first reading of a zoning ordinance amending Chapter 41 (Zoning) of the SAMC addressing wireless communication facilities, billboards, hotels, general restrictions, and definitions.

**ORDINANCE NO. NS-3059** entitled ZONING ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 41 (ZONING) OF THE SANTA ANA MUNICIPAL CODE RELATING TO GENERAL RESTRICTIONS, AND BILLBOARDS

4. Determine that, pursuant to the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the adoption of these Ordinances is exempt from CEQA review pursuant to sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project," as defined in Section 15378 of the CEQA Guidelines. As a result, Environmental Review Nos. 2023-115, 2023-125, and 2023-126 will be filed upon adoption of these ordinances.

**MINUTES:** *Planning and Building Director Minh Thai gave a presentation regarding the Annual Code Updates.*

*Mayor Amezcua opened the Public Hearing at 6:59 P.M.*

*The following speakers addressed the City Council in-person:*

1. *Jordan Sisson expressed concern regarding zoning amendments and requested hotel related items be removed from the ordinance amendments. He requested additional public comments be allowed.*
2. *Juliana Musheyev spoke in opposition to the hotel related amendments.*

**MOTION:** Councilmember Hernandez moved to allow additional public comments for Public Hearing Item No. 27, seconded by Mayor Pro Tem Lopez.

**MINUTES:** *Councilmember Phan asked for clarification regarding allowing additional public comments for public hearings.*

*City Attorney Sonia Carvalho provided clarification regarding public comments.*

The motion carried, 6-1, by the following roll call vote:

**AYES:** COUNCILMEMBER HERNANDEZ, COUNCILMEMBER PENALOZA, COUNCILMEMBER PHAN, COUNCILMEMBER VAZQUEZ, MAYOR PRO TEM LOPEZ, MAYOR AMEZCUA  
**NOES:** COUNCILMEMBER BACERRA  
**ABSTAIN:** NONE  
**ABSENT:** NONE  
**Status:** 6 – 1 – Pass



**MINUTES:**

3. *Drew Snittson spoke regarding the proposed amendments related to fireworks.*
4. *Daniel Thomas spoke regarding the proposed amendments related to fireworks.*
5. *Cenorino Gomez (translation: Spanish) expressed concern regarding the amendments related to hotels.*
6. *Jenny Rodriguez (translation: Spanish) expressed concern regarding the amendments related to hotels.*
7. *Elvia Espinosa (translation: Spanish) expressed concern regarding the amendments related to hotels.*
8. *Parker Shea expressed concern regarding the amendments related to hotels.*
9. *James Brine expressed concern regarding the amendments related to hotels.*

*City Clerk Jennifer L. Hall stated there were no additional speakers and reported out the summary of one (1) email comment received.*

*There being no additional speakers, Mayor Amezcua closed the Public Hearing at 7:23 P.M.*

*Councilmember Hernandez thanked staff for the presentation, spoke regarding the amendments, and requested a continuation of recommended action no. 3.*

*Councilmember Bacerra thanked staff for the code amendment updates, spoke regarding the proposed amendments, and spoke in opposition to the hotels and communication facilities amendments.*

**MOTION: Councilmember Bacerra moved to approve the recommended action for Agenda Item No. 27, as amended to remove the provisions for motels, hotels and wireless communication services, seconded by Councilmember Hernandez.**

**MINUTES:** *Councilmember Penaloza spoke in support of the item except the provisions regarding hotels and communication services.*

*Councilmember Phan spoke in support of recommended action nos. 1 and 2 and spoke regarding displacement of housing and the importance of Transient Occupation Tax (TOT) and hotels.*

*Mayor Pro Tem Lopez thanked staff for the presented staff report and spoke in opposition to hotel amendments.*

*Councilmember Penaloza spoke regarding safety and security at hotels.*

**SUBSTITUTE MOTION:** Councilmember Phan moved to approve recommended action nos. 1 and 2 and continued recommend action no 3 for Agenda Item No. 27.

**MINUTES:** *Substitute motion died due to lack of a second.*

*Mayor Amezcua spoke regarding sales tax revenue and sunset of the sales tax measure.*

*Mayor Pro Tem Lopez spoke regarding generating revenue.*

**MOTION:** Councilmember Bacerra moved to approve the recommended action for Agenda Item No. 27, as amended to remove the provisions for motels, hotels, and wireless communication services, seconded by Councilmember Hernandez.

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

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

<b><u>BUSINESS CALENDAR</u></b>
---------------------------------

**MINUTES:** *At 7:42 P.M., the Business Calendar was considered.*

## **25. Election of Mayor Pro Tem for 2024**

**Department(s):** City Clerk's Office

**Recommended Action:** Nominate and elect one Councilmember to serve as Mayor Pro Tem for calendar year 2024.

**MINUTES:** *Mayor Amezcua opened public comments for the Business Calendar.*

*There being no requests to speak, Mayor Amezcua closed the public comment period.*

*Councilmember Bacerra nominated Councilmember Phan as Mayor Pro Tem, seconded by Councilmember Penaloza.*

*Councilmember Vazquez nominated Councilmember Hernandez as Mayor Pro Tem, seconded by Mayor Pro Tem Lopez.*

**MOTION: Mayor Amezcua moved to close nominations for Mayor Pro Tem for calendar year 2024, seconded by Councilmember Bacerra.**

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

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

**MOTION: Councilmember Bacerra moved to appoint Councilmember Phan as the Mayor Pro Tem for calendar year 2024, seconded by Councilmember Hernandez.**

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

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

**MOTION: Councilmember Vazquez moved to appoint Councilmember Hernandez as the Mayor Pro Tem for calendar year 2024, seconded by Mayor Pro Tem Lopez.**

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

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

***MINUTES: Thai Viet Phan appointed as Mayor Pro Tem for Calendar year 2024.***

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

**PUBLIC COMMENT** – Public comments will be held during the beginning of the meeting for ALL comments on agenda and non-agenda items, with the exception of public hearings. Comments for public hearings will take place after the hearing is opened.

**MINUTES:** *City Clerk Jennifer L. Hall report out the summary of one (1) email comment received for Agenda Item No. 12.*

*The following speakers addressed the City Council in-person:*

1. *Victor Mendez spoke regarding Agenda Item Nos. 6 and 24.*

<b><u>CONSENT CALENDAR</u></b>
--------------------------------

**RECOMMENDED ACTION:** Approve staff recommendations on the following Consent Calendar Items: 3 through 24 and waive reading of all resolutions and ordinances

**MINUTES:** *At 7:46 P.M., Councilmember Penaloza pulled Agenda Item No. 24 for separate discussion and consideration.*

*Councilmember Vazquez requested to comment on Agenda Item No. 15.*

*Mayor Pro Tem Phan recused herself from Agenda Item No. 16 as the listed entity is a client of her employer, Rutan and Tucker.*

*Mayor Amezcua pulled Agenda Item Nos. 12-14 and 19 for separate discussion and consideration.*

**MOTION:** Councilmember Bacerra moved to approve Consent Calendar Item Nos. 3 through 24 with the exception of Item Nos. 12-14, 19, and 24 for separate discussion and consideration, seconded by Mayor Amezcua.

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

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

### 3. Excused Absences

**Department(s):** City Clerk's Office

**Recommended Action:** Excuse the absent members.

**4. Minutes from the Regular Meeting of July 18, 2023**

**Department(s):** City Clerk's Office

**Recommended Action:** Approve minutes.

**5. Appointments to the Santa Ana Workforce Development Board**

**Department(s):** Community Development Agency

**Recommended Action:** Appoint Natasha Milatovich (replacing Bridget Kavanaugh) for a partial four-year term expiring May 31, 2024 and Mat Garcia (replacing Andy Wadhera) for a partial four-year term expiring May 31, 2026 to the Santa Ana Workforce Development Board.

**6. Receive and File: Fiscal Year 2022-23 Annual Comprehensive Financial Report, Related Audit Reports, and Measure X Agreed-Upon-Procedures Report**

**Department(s):** Finance and Management Services

**Recommended Action:** Receive and file the following audited and separately issued reports for the Fiscal Year Ended June 30, 2023:

1. The Auditor's unmodified "clean" opinion letter for the fiscal year 2022-23 Audited Financial Statements included in the Annual Comprehensive Financial Report (ACFR)
2. Government Auditing Standards (GAS) Letter
3. Governance Letter
4. Air Quality Management District (AQMD) Audited Financial Statements
5. The Auditor's report on the Appropriations Limit (GANN Limit)
6. The Auditor's report on compliance with the Statement of Investment Policy
7. Measure X Agreed-Upon-Procedures Report

**7. Receive and File the Certification of Approval by City Engineer of Final Tract Map 2019-02, County Tract Map No. 19064 For 301 and 305 North Mountain View Street (Applicant: Olympia Capital Corporation) (No Fiscal Impact)**

**Department(s):** Public Works Agency

**Recommended Action:** Receive and file the certification of approval by City Engineer of the Final Tract Map 2019-02.

**8. Award a Purchase Order Contract to Los Angeles Truck Centers for One Rizon e18L EV Truck, in an Amount Not-to-Exceed \$237,588 (Bid No. 23-190) (Non-General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:**

1. Approve an appropriation adjustment recognizing \$237,588 in prior-year fund balance in the Air Quality Improvement (AB 2766) Fund, Prior Year Carry Forward revenue account and appropriate the same amount into the Fleet Services-Air Quality Improvement expenditure account. (*Requires five affirmative votes*)

2. Authorize a one-time purchase and payment of a Purchase Order to Los Angeles Truck Centers for one 2023 Rizon e18L EV Truck, in an amount not to exceed \$237,588, including a \$20,000 contingency amount.

**9. ~~Approve an Appropriation Adjustment and Increase the Agreement Amount by \$100,000 for Existing Agreements with AimTD, LLC and Transportation Studies, Inc. for a New Aggregate Amount Not to Exceed \$240,000 (Project Nos. 21-6897, 22-6897, 23-6897, 24-6897) (Non-General Fund)~~**

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute second amendments to agreements for traffic counting services with AimTD, LLC and Transportation Studies, Inc., to increase the agreement aggregate amount by an additional \$100,000, for a total agreement aggregate amount of \$240,000 from June 30, 2024 to June 30, 2025 (**Core Agreement No. A-2024-001**).

**10. Award a Construction Contract to Baker Electric & Renewables LLC in the Amount of \$691,335 for the Traffic Signal Installation at Chestnut Avenue and Zoo Lane (formerly Elk Lane) with an Estimated Project Delivery Cost of \$864,168 (Project No. 23-6999) (Non-General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:**

1. Approve an amendment to the Fiscal Year 2023-24 Capital Improvement Program to include \$864,168 of funding in Transportation System Impact Authority (TSIA) Area A and Capital Outlay Fund Parks Improvement funds for the Traffic Signal Installation at Chestnut Avenue and Zoo Lane (formerly Elk Lane).
2. Approve an appropriation adjustment to recognize Transportation System Impact Authority Area A funds in an amount of \$839,168 in the Prior Year Carry Forward revenue account, and appropriate the same amount to the Transportation System Impact Authority Area A, Improvements Other than Buildings expenditure account. *(Requires five affirmative votes)*
3. Authorize budget reallocation of \$25,000 in unspent Capital Outlay Fund Parks Improvement account from the Maintenance & Repair Buildings & Ground (No. 24-2600) Project to construction funds for the Traffic Signal Installation at Chestnut Avenue and Zoo Lane (formerly Elk Lane) (No. 23-6999) to complete the project funding requirement.
4. Award a construction contract to Baker Electric & Renewables LLC., the lowest responsive bidder, in accordance with the base bid in the amount of \$691,335, subject to change orders (not to exceed 25% of the base bid amount) in accordance with the Greenbook: Standard Specifications for Public Works Construction, for construction of new Traffic Signal Installation at Chestnut Avenue and Zoo Lane (formerly Elk Lane) Project, for the term beginning December 19, 2023 and ending upon project

completion.

5. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$864,168, which includes \$691,335 for the construction contract, \$103,700 for contract administration, inspection, and testing; and a \$69,133 project contingency for unanticipated or unforeseen work.
6. Determine that, pursuant to the California Environmental Quality Act, the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2020-96 was filed for the project 23-6999.

**11. Cooperative Agreement with the Orange County Transportation Authority for the Operations and Maintenance of the OC Streetcar System (Non-General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute a cooperative agreement with the Orange County Transportation Authority (OCTA) for the Operations and Maintenance of the OC Streetcar System for a term beginning on the effective date of this agreement for a period of 50 years, with an optional 20-year extension at the discretion of OCTA (**Agreement No. A-2024-002**).

**AGENDA ITEM PULLED FROM CONSENT CALENDAR FOR SEPARATE DISCUSSION**

**12. Approve an Agreement with Professional Sports Field Maintenance, Inc. for Infield Maintenance Services at City Parks and Facilities in an Amount Not-to-Exceed \$2,759,035 (RFP No.23-152) (General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute an agreement with Professional Sports Fields Maintenance, Inc., for infield maintenance services in an annual amount not-to-exceed \$459,839, plus an annual contingency of \$91,968, for a total amount not-to-exceed \$2,759,035, for a three-year term beginning on February 1, 2024 and expiring January 31, 2027 with provisions for two, one-year extensions (**Agreement No. A-2024-003**).

**MINUTES:** Mayor Amezcua spoke regarding saving monies and questioned whether employees can complete these jobs for Agenda Item Nos. 12, 13, 14, and 19.

*Councilmember Hernandez spoke regarding not approving contracts that take jobs away from current employees and questioned the capacity for in-house services.*

*Interim City Manager Tom Hatch spoke regarding the extension of current contracts and contract services provided. He stated the contracts supplement current workload provided by employees.*

*Mayor Amezcua spoke regarding employee vacancies in the City and questioned why contract services are not completed by unfilled positions.*

*Interim City Manager Hatch spoke regarding the current vacancies and clarified the contract services being provided.*

**MOTION: Mayor Amezcua moved to approve the recommended action for Agenda Item No. 12, seconded by Councilmember Hernandez.**

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**

**AGENDA ITEM PULLED FROM CONSENT CALENDAR FOR SEPARATE DISCUSSION**

**13. Approve an Agreement with RPW Services, Inc. for Integrated Pest Management (IPM) and Pest Control Services at City Parks and Facilities in an Amount Not to Exceed \$3,966,300 (RFP No. 23-153) (General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute an agreement with RPW Services, Inc. for integrated pest management and pest control services in an annual amount not-to-exceed \$661,050, plus an annual contingency of \$132,210, for a total amount not-to-exceed \$3,966,300 for a three-year term beginning on February 1, 2024 and expiring January 31, 2027 with provisions for two, one-year extensions (**Agreement No. A-2024-004**).

**MOTION: Mayor Amezcua moved to approve the recommended action for Agenda Item No. 13, seconded by Councilmember Hernandez.**

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**



**AGENDA ITEM PULLED FROM CONSENT CALENDAR FOR SEPARATE DISCUSSION**

- 14. Approve a Takeover Agreement with Great American Insurance Group to Take Over the Santa Ana Zoo Giant River Otter and Primate Trails Project and Approve an Amendment to the Agreement with CLR Design to Increase the Construction Administration Services Amount by \$75,000 for a New Estimated Total Services Cost of \$193,000 (Project No. 16-2658) (Non-General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:**

1. Authorize the City Manager to execute a takeover agreement with Great American Insurance Group subject to change orders (not to exceed 25% of the base bid amount) in accordance with the Greenbook: Standard Specifications for Public Works construction, to take over the Santa Ana Zoo Giant River Otter and Primate Trails Project and be responsible for the completion of all work in accordance with the contract (**Agreement No. A-2024-005**).
2. Authorize the City Manager to execute a first amendment to the agreement with CLR Design Inc. for construction support services for the Santa Ana Zoo Giant River Otter and Primate Trails Project, to increase the amount by \$75,000, for a total agreement amount of \$193,000 (**Agreement No. A-2024-006**).

**MOTION: Mayor Amezcua moved to approve the recommended action for Agenda Item No. 14, seconded by Councilmember Hernandez.**

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**

- 15. Approve Aggregate Agreements with DMS Facility Services, Landscape West Management Services, Inc., Mariposa Landscapes, Inc., and PCA Arborists & Consultants, Inc. dba Pacific Coast Horticulturists for Landscape Maintenance at City Parks and Facilities in an Aggregate Amount Not-to-Exceed \$35,737,920 (RFP No. 23-151) (General Fund and Non-General Fund)**

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute aggregate agreements to DMS Facility Services, Landscape West Management Services, Mariposa

Landscapes, Inc., and Pacific Coast Horticulturists for landscape maintenance services in an annual aggregate amount not-to-exceed \$5,228,321, plus an annual contingency of \$1,919,264, for a total aggregate amount not-to-exceed \$35,737,920 for a three year term beginning February 1, 2024, and expiring January 31, 2027, with provisions for two, one-year extensions (**Core Agreement No. A-2024-007**).

**MINUTES:** Councilmember Vazquez spoke in support of the item.

#### **16. First Amendment to the Density Bonus Housing Agreement for Legacy Square**

**Department(s):** Community Development Agency

**Recommended Action:** Approve a First Amendment to the Density Bonus Housing Agreement with National Community Renaissance of California and Legacy Square, L.P. for the permanent loan conversion of Legacy Square (**Agreement No. A-2024-008**).

**MOTION:** Councilmember Bacerra moved to approve the recommended action for Agenda Item No. 16 as part of the Consent Calendar, seconded by Mayor Amezcua.

The motion carried, 6-0-1, by the following roll call vote:

**AYES:** COUNCILMEMBER BACERRA, COUNCILMEMBER  
HERNANDEZ, COUNCILMEMBER LOPEZ, COUNCILMEMBER  
PENALOZA, COUNCILMEMBER VAZQUEZ, MAYOR AMEZCUA  
**NOES:** NONE  
**ABSTAIN:** MAYOR PRO TEM PHAN (recusal)  
**ABSENT:** NONE  
**Status:** 6 – 0 – 1 – **Pass**

#### **17. Approve a First Amendment to the Fiscal Year 2023-24 Emergency Solutions Grant (ESG) Memorandum of Understanding with the Santa Ana Police Department HEART Program for Additional Street Outreach and ESG Subrecipient Agreement with Interval House to Provide Emergency Shelter and Supportive Services to Victims of Domestic Violence from the City of Santa Ana**

**Department(s):** Community Development Agency

**Recommended Action:**

1. Authorize the City Manager to execute a First Amendment to the Santa Ana Police Department Homeless Evaluation Assessment Response Team (HEART) Program Memorandum of Understanding (MOU) to increase the amount of the agreement by \$32,394.61 for program year July 1, 2023 - June 30, 2024 for additional street outreach activities (**Agreement No. A-2024-009**).
2. Authorize the City Manager to execute a First Amendment to the Interval House Subrecipient Agreement to increase the amount of the agreement by \$32,393.00 for program year July 1, 2023 - June 30, 2024 to provide emergency shelter and supportive services to victims of domestic violence from the City of Santa Ana (**Agreement No. A-2024-010**).

**18. Approve an Agreement with Occupational Health Centers of California, a Medical Corporation dba Concentra Medical Centers (“Concentra”) to Provide Pre-Employment Medical Services**

**Department(s):** Human Resources

**Recommended Action:** Authorize the City Manager to execute an agreement with Concentra to provide a comprehensive medical services review program in an amount not to exceed \$450,000 for a three-year term from January 31, 2024 through January 30, 2027, with the option for the City to grant up to two 1-year renewals of \$150,000 each additional year, in an amount not to exceed \$750,000 over a five-year term (**Agreement No. A-2024-011**).

***AGENDA ITEM PULLED FROM CONSENT CALENDAR FOR SEPARATE DISCUSSION***

**19. Second Amendment to Agreement with A1 Party Rental for Event Equipment Rental Services at City Events to Increase the Annual Amount by \$45,000 per Year through March 31, 2025, for a Total Increase of \$90,000 and New Agreement Total of \$540,000 (General Fund)**

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

**Recommended Action:** Authorize the City Manager to execute an amendment to an agreement with A1 Party Rental for event equipment rental services at City events to increase the annual amount by \$45,000 per year through March 31, 2025, for a total increase of \$90,000 and new agreement total of \$540,000 (**Agreement No. A-2024-012**).

**MOTION:** Mayor Amezcua moved to approve the recommended action for Agenda Item No. 19, seconded by Councilmember Hernandez.

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

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

**20. Second Amendment to Agreement with California Barricade Rentals, Inc. for Traffic Control Equipment and Services at City Events to Increase the Total Agreement Not To Exceed Amount by \$185,000 through March 31, 2025, for a New Total Not to Exceed Amount of \$400,000 (General Fund)**

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

**Recommended Action:** Authorize the City Manager to execute a second amendment to the agreement with California Barricade Rentals, Inc. for traffic control equipment and services at City events to increase the total agreement not to exceed amount by \$185,000 through March 31, 2025 for a new total not-to-exceed amount of \$400,000 (**Agreement No. A-2024-013**).

**21. Second Amendment to the Agreement with Matchpoint Tennis Academy LLC (“Matchpoint) for the Management, Operation, and Maintenance of the Cabrillo Tennis Center**

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

**Recommended Action:** Authorize the City Manager to execute the second amendment to the agreement with Matchpoint Tennis Academy LLC to adjust the terms and conditions of Section 4 in the agreement and reduce the term from 15 years to 10 years with an expiration date of December 31, 2029 with the option for a one 5-year extension (**Agreement No. A-2024-014**).

**22. Historic Property Preservation Agreements**

**Department(s):** Planning and Building Agency

**Recommended Action:**

1. Authorize the City Manager or designee to execute the attached Mills Act agreements with the below-referenced property owners for the identified structure(s).

<b><i>Property Owner(s)</i></b>	<b><i>Historic Property/Preservation</i></b>	<b><i>Address/House</i></b>	<b><i>Vote by HRC</i></b>
Charles William Lake and Julie S. Lake, as Trustees of the Charles William Lake and Julie S. Lake 2002 Family Trust Dated September 20, 2002 ( <b>Agreement No. A-2024-015</b> )	2023-10	2028 N. Greenleaf Street	5:0:0:3 (Commissioners Hardy, Cornelious, and Escamilla absent)
Daniel and Robbyn Taylor ( <b>Agreement No. A-2024-016</b> )	2023-11	1607 N. Freeman Street	5:0:0:3 (Commissioners Hardy, Cornelious, and Escamilla absent)

2. Determine that, in accordance with the California Environmental Quality Act, the proposed projects are exempt for further review as Categorical Exemptions ER No. 2023-105 and 2023-107 will be filed for the projects.

**23. Approve a First Amendment to Agreement with Data Ticket, Inc. (General Fund)**

**Department(s):** Police Department

**Recommended Action:** Authorize the City Manager to execute the first amendment to the agreement with Data Ticket, Inc. for automated parking citation and processing services for an additional amount of \$730,351.69, for a total aggregate amount not to exceed \$2,000,000 for the remaining term of the agreement expiring February 14, 2025 (**Agreement No. A-2024-017**).

**AGENDA ITEM PULLED FROM CONSENT CALENDAR FOR SEPARATE DISCUSSION**

**24. Agreements with Enterprise Fleet Management for Leased Vehicles (General Fund)**

**Department(s):** Police Department

**Recommended Action:** Authorize the City Manager to execute the following seven agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc. for leased vehicles for the period of January 1, 2024 through April 18, 2026 for a total annual amount not to exceed \$612,936, with a one-year extension option: (**Core Agreement No. A-2024-018**)

1. Master Walkaway Lease Agreement;
2. Master Equity Lease Agreement;
3. Maintenance Management and Fleet Rental Agreement;
4. Supplemental Agreement between City and Enterprise;
5. Indemnity Agreement for Master Walkaway Lease Agreement;
6. Indemnity Agreement for Master Equity Lease Agreement;
7. Amendment to Maintenance Management and Fleet Rental Agreement.

**MINUTES:** Councilmember Penaloza asked for clarification regarding the type/model of the leased vehicles throughout the department.

*City Attorney Sonia Carvalho provided clarification.*

*Councilmember Penaloza requested the type of vehicles leased be discussed during labor negotiations.*

*Councilmember Lopez left the meeting via teleconference at 8:03 P.M.*

*Mayor Amezcua spoke regarding the type of vehicles used by the Police Department, and requested information/ presentation regarding the type of vehicles, costs, and the police budget.*

**MOTION: Councilmember Penaloza moved to approve the recommended action for Agenda Item No. 24 and direct staff to review and formulate the policy on the type of vehicles taken home as part of negotiations, seconded by Mayor Amezcua.**

The motion carried, 5-1-0-1, by the following roll call vote:

**AYES:** COUNCILMEMBER BACERRA, COUNCILMEMBER PENALOZA,  
COUNCILMEMBER PHAN, COUNCILMEMBER VAZQUEZ,  
MAYOR PRO TEM PHAN, MAYOR AMEZCUA  
**NOES:** COUNCILMEMBER HERNANDEZ  
**ABSTAIN:** NONE  
**ABSENT:** COUNCILMEMBER LOPEZ  
**Status:** 5 – 1 – 0 – 1 – **Pass**

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

***PUBLIC HEARINGS WERE HEARD OUT OF ORDER AND PRIOR TO THE BUSINESS CALENDAR***

***BUSINESS CALENDAR WAS HEARD OUT OF ORDER AND PRIOR TO THE CONSENT CALENDAR***

**RECESS**

***MINUTES:*** Mayor Amezcua recessed the City Council meeting to address the Special Housing Authority and Special Successor Agency meetings at 8:06 P.M.

**RECONVENE**

***MINUTES:*** Mayor Amezcua reconvened the City Council meeting to order at 8:09 P.M.

**PUBLIC COMMENT** – Public comments will be held during the beginning of the meeting for ALL comments on agenda and non-agenda items, with the exception of public hearings. Comments for public hearings will take place after the hearing is opened.

***MINUTES:*** City Clerk Jennifer L. Hall clarified that speakers have total of two (2) minutes for their non-agenda comments.

*The following speakers addressed the City Council in-person:*

- 1. Mario Alvarado spoke regarding forthcoming community events and invited all to attend.*
- 2. Angel Valdez spoke regarding the Police Department's towing process and requested it be updated.*

3. *Fernando Deveras spoke regarding freedom of expression, announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting, and requested to hear from Mayor Pro Tem Phan.*
4. *Jair Carra denounced Mayor Amezcua's acts at the last City Council meeting, announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting, and spoke in support of a ceasefire resolution.*
5. *Kadisha Aburub spoke in support of a ceasefire resolution and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting*
6. *Shaheera Owaynat requested the ceasefire resolution be placed on the agenda and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting.*
7. *Farrah Miles spoke in support of the ceasefire resolution.*
8. *Massab Hammadi requested a ceasefire resolution be added to the agenda.*
9. *Nathaly Basto Camargo spoke regarding generating revenue.*
10. *Michael Diaz announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting and spoke regarding Mayor Amezcua's comments at the December 5, 2023 City Council meetings.*
11. *Amal Alkala spoke regarding comments made by Mayor Amezcua at the December 5, 2023 City Council meeting and the environment at Gaza.*
12. *Omar Z. spoke regarding the environment at Gaza and requested the ceasefire resolution be placed on the agenda.*
13. *Lubna A. spoke regarding the environment in Gaza and the loss of Palestinian people, requested a ceasefire resolution, and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting.*
14. *Tasheem Mash spoke in support of a ceasefire resolution, requested the resolution be added to the agenda, and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting.*
15. *Basha Jamil spoke in support of a ceasefire resolution to end genocide in Gaza and the environment in Gaza, expressed concern regarding Mayor Amezcua comments and demeanors at the December 5 and December 19, 2023 City Council meetings, and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech.*

16. *Jannah spoke regarding revenue and in support of the ceasefire resolution to end the war in Gaza.*
17. *Thanh Nguyen and Vivian Vu spoke regarding free dental screenings and dental care.*
18. *Catalina Iniestra (translation: Spanish) expressed concern regarding the safety and security at City parks and requested it be agendized.*
19. *Veronica Garcia (translation: Spanish) expressed concern regarding the safety, security, and maintenance at City parks and requested it be agendized to provide resolution to these issues.*
20. *Sadad Talhouni spoke in support of a ceasefire resolution in Gaza, requested the resolution be added to the agenda, and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting.*
21. *Yasir spoke in support of a ceasefire resolution in Gaza.*
22. *Juliana Musheyev spoke in support of a ceasefire resolution and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting and violation of the Brown Act.*
23. *Cas Henderling spoke in support of a ceasefire resolution in Gaza and the environment in Gaza.*
24. *Lesley Nguyen spoke in support of a ceasefire resolution, requested the resolution be added to the agenda, and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting.*
25. *Rocio Guzman (translation: Spanish) expressed concern regarding the safety and security at City parks and suggested resolutions to address some of the issues.*
26. *Claudia Morales (translation: Spanish) expressed concern regarding the environment in her area and rent increases and evictions.*
27. *Yohana Rojas (translation: Spanish) expressed concern regarding the safety, security, and maintenance at City parks and cancelled community activities.*
28. *Mirvette Judah spoke in support of a ceasefire resolution and the environment in Gaza, requested the resolution be added to the agenda and announced an ethics complaint against Mayor Amezcua for infringement of freedom of speech at the December 19, 2023 City Council meeting.*
29. *Veronica Gomez expressed concern regarding the safety, security, and maintenance at City parks.*
30. *Tom spoke regarding the environment at Gaza.*



*City Clerk Jennifer L. Hall reported out the summary of email comments received: 254 non-agenda comments.*

### **CITY MANAGER COMMENTS**

***MINUTES:*** *Interim City Manager Tom Hatch highlighted Agenda Item Nos. 6 and 15.*

*Mayor Amezcua requested clarification of the clearing of the room at the past City Council meeting.*

*City Attorney Sonia Carvalho provided clarification and addressed clearing of the room at the December 5 and December 19, 2023 City Council meetings and stated oral ethics complaints are not sufficient and require a written complaint.*

### **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.

***MINUTES:*** *Councilmember Vazquez congratulated Councilmember Penaloza on becoming a father, spoke regarding his ride-along with the Quality of Life team, thanked Supervisor Sarmiento for starting a homeless prevention funding, requested all to fill out the budget survey, and spoke in support of the ceasefire resolution.*

*Councilmember Penaloza thanked all those who participated, announced that at last week's Transportation Corridor Agency Meeting he was appointed as Vice Chair for the San Joaquin Hills Transportation Corridor Agency, congratulated the Mayor on her appointment to OCTA, and wished a Happy Birthday Day to Library Services Director Brian Sternberg, Principal Management Analyst Daniel Soto and Councilmember Vazquez. He announced the birth of his daughter Penelope Luna Penaloza.*

*Councilmember Hernandez thanked City staff for their hard work and efforts, congratulated Councilmember Penaloza on becoming a father, and spoke in support of the ceasefire resolution.*

*Councilmember Bacerra wished everyone a Happy New Year, congratulated Councilmember Penaloza on becoming a father and his Vice Chair appointment at Transportation Corridor Agency, congratulated Mayor Amezcua on her appointment on the OCTA Board of Directors, and Mayor Pro Tem Phan's appointment as Mayor Pro Tem, reported a meeting with Supervisor Sarmiento, and requested an updated maintenance agreement regarding channels.*

*Mayor Pro Tem Phan congratulated Councilmember Penaloza on becoming a father, announced community events on March 1<sup>st</sup> for the free local water district tour, January 26<sup>th</sup> for the Little Saigon Ribbon Cutting Ceremony, and February 3<sup>rd</sup> for the TET Lunar New Year Festival, and thanked the City Council for her nomination as Mayor Pro Tem for 2024.*

*Mayor Amezcua provided an update on the construction related to OCTA, spoke regarding the needle exchange program and requested a future special meeting related to the item, invited all to attend Coffee with the Mayor on January 27<sup>th</sup> at the Southwest Senior Center and Prayer Breakfast January 30 at Templo Calvario, announced the survey related to budget priorities, and spoke regarding community events and classes throughout the City.*

**ADJOURNMENT** – Adjourn the City Council meeting and convene to the Housing Authority meeting.

***MINUTES:*** Mayor Amezcua adjourned the City Council Meeting in memory of Esther Marin at 9:44 P.M.

Respectfully submitted:

---

Jennifer L. Hall, CMC  
City Clerk