

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



January 21, 2025

CLOSED SESSION MEETING – 4:00 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 4:08 P.M.

ATTENDANCE

Council Members

- Phil Bacerra**
- Johnathan Ryan Hernandez**
- Jessie Lopez**
- David Penalzoa**
- Benjamin Vazquez**
- Thai Viet Phan**
- Valerie Amezcua**

- Mayor Pro Tem**
- Mayor**

- City Manager**
- City Attorney**
- City Clerk**

- Alvaro Nuñez**
- Sonia R. Carvalho**
- Jennifer L. Hall**

ROLL CALL

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

Councilmembers Vazquez, Lopez, Mayor Pro Tem Phan, and Mayor Amezcua were present. Councilmembers Bacerra, Hernandez, and Penalzoa arrived during Closed Session.

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 stated there were no comments.*

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 4:10 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. Doe Officers and Santa Ana Police Officers Association v. City of Santa Ana, Orange County Superior Court, Case. No. 30-2022-01230134
 - B. City of Santa Ana v. Hashtag Pinpoint Corporation, et al., Orange County Superior Court, Case No. 30-2022-01296331
 - C. Santa Ana POA/Serrano v. City of Santa Ana, Orange County Superior Court, Case No. 30-2021-1230129-CU-OE-CJC
 - D. Anthony Cardenal v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2022-01293127
 - E. David Guzman v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2023-01323955
 - F. John Kachirisky v. City of Santa Ana, Orange County Superior Court, Case No. 30-2023-01348299
 - G. Stephanie Luna v. City of Santa Ana, Orange County Superior Court, Case No.: 3-2023-01350541
 - H. Nelson Menendez v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2023-01339537
 - I. Manny Moreno v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2024-01372127
 - J. Corey Slayton v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2021-01204216
 - K. Corey Slayton v. City of Santa Ana/Santa Ana Personnel Board, Orange County Superior Court, Case No.: 30-2023-01368254
 - L. Judith Valdez v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2023-01359457

M. Serrano v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2023-01330782

N. Rita Ramirez v. City of Santa Ana, Orange County Superior Court, Case No.: 30-2022-01287702

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.

CITY COUNCIL REGULAR OPEN SESSION

CALL TO ORDER

MINUTES: Mayor Amezcua reconvened the City Council Meeting to order at 5:54 P.M.

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

ROLL CALL

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

Councilmembers Bacerra, Hernandez, Lopez, Penalzoza, and Vazquez, Mayor Pro Tem Phan, and Mayor Amezcua were present.

Mayor Amezcua called for a moment of silence to recognize the victims of the fires in Los Angeles and to thank the first responders.

PLEDGE OF ALLEGIANCE **Jasmine Quiarez**

WORDS OF INSPIRATION **Police Chaplain Bob Barnett**

ADDITIONS\DELETIONS TO THE AGENDA

MINUTES: None.

CEREMONIAL PRESENTATIONS

- 1. Certificates of Recognition presented by Mayor Amezcua to the DTSA Feel Good Events Board for Outstanding Contributions to the Community**

MINUTES: Mayor Amezcua presented certificates of recognition to the DTSA Feel Good Events Board for their outstanding contributions to the community.

- 2. Proclamation presented by Mayor Pro Tem Phan to Santa Ana's Library Services Department declaring January 29, 2025 as Tet/Lunar New Year**

MINUTES: Mayor Pro Tem Phan presented a proclamation to Santa Ana's Library Services Department declaring January 29, 2025 as Tet/Lunar New Year.

3. Certificate of Recognition presented by Councilmember Bacerra to Mater Dei High School Football Team for their 2024 National Championship

MINUTES: Councilmember Bacerra presented a certificate of recognition to Mater Dei High School Football Team for their 2024 National Championship.

4. Certificate of Recognition presented by Councilmember Lopez to Jose Rea and the GREEN-MPNA for Outstanding Contributions to the Community

MINUTES: Councilmember Lopez presented a certificate of recognition to Jose Rea and the GREEN-MPNA for outstanding contributions to the community.

5. Proclamation presented by City of Santa Ana honoring Jesse Soto in Recognition of his Retirement and 31 Years of Dedicated Service to the City of Santa Ana

MINUTES: City Manager Alvaro Nuñez presented a proclamation honoring Jesse Soto in recognition of his retirement and 31 years of dedicated service to the City of Santa Ana.

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

MINUTES: City Attorney Sonia Carvalho 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: two (2) Agenda Item No. 29 and (8) non-agenda comments.

The following speakers addressed City Council in-person:

1. Ryan Gasha spoke in support of Agenda Item No. 29.
2. Alan Woo spoke regarding Agenda Item No. 29.
3. Joseph Gu spoke in support of Agenda Item No. 29.
4. Audrey Yamagata Noji spoke in support of Agenda Item No. 29.
5. Lupe Lopez expressed concern regarding the lack of responsiveness from the City related to Chicano Heritage and Indigenous People's Day planning.

The following speaker addressed City Council via teleconference:

6. *Fernando Deveras expressed concern regarding lawsuits against the City.*

CONSENT CALENDAR

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar Items: 6 through 32 and waive reading of all resolutions and ordinances.

MINUTES: *At 7:05 P.M., the Consent Calendar was considered.*

Councilmember Lopez pulled Agenda Item No. 29 for separate discussion and consideration.

Councilmember Bacerra pulled Agenda Item No. 18 for separate discussion and consideration.

Mayor Pro Tem Phan recused herself from Agenda Item Nos. 13 and 14 as the listed entities, Illumination Foundation and GS Bowery Owner, LLC, are clients of her employer, Rutan and Tucker.

MOTION: Councilmember Bacerra moved to approve Consent Calendar Item Nos. 6 through 32 with the exception of Agenda Item Nos. 18 and 29 pulled for separate discussion and consideration, seconded by Councilmember Penalzoa.

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

6. Excused Absences

Department(s): City Clerk’s Office

Recommended Action: Excuse the absent members.

7. Minutes from the Special Meeting of December 10, 2024 and Regular Meeting of December 17, 2024

Department(s): City Clerk’s Office

Recommended Action: Approve minutes.

8. Re-appoint Various Boards and Commissions Members Nominated by Councilmember Lopez as the Ward 3 Representative for a Full Term Expiring December 12, 2028

Department(s): City Clerk's Office

Recommended Action: Appoint the following members and administer the Oaths of Office.

1. Maria Baeza – Environmental and Transportation Advisory Commission (*Pursuant to SAMC Sec. 2-326(a), requires five affirmative votes.*)
2. Edward Murashie – Historic Resources Commission
3. Roberto Herrera – Parks, Recreation, and Community Services Commission
4. Gabriel Castillo Laughton – Police Oversight Commission

MINUTES: City Clerk Jennifer L. Hall administered the Oaths of Office.

9. Approve Destruction of Obsolete City Records

Department(s): Human Resources, Police Department

Recommended Action: Approve the request for the destruction of obsolete records from the Human Resources and Police Departments in accordance with the retention schedule outlined in City Council Resolution 2013-14.

10. Receive and File – Fiscal Year 2023-24 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, 2024:

1. The Auditor's unmodified "clean" opinion letter for the fiscal year 2023-24 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

11. Purchase Order Contract with Brodart Company for Purchase of Collections and Cataloging Services for the Santa Ana Public Library (General Fund)

Department(s): Library

Recommended Action: Authorize the City Manager to execute an amendment to increase Purchase Order Contract authority with Brodart Company for the purchase of Library collections and cataloging services by \$375,000, for an annual not to exceed amount of \$965,000, for the current contract term ending October 31, 2026, with two optional one-year renewals.

12. Citywide Sports Field Maintenance Schedule for 2025-2026

Department(s): Public Works Agency

Recommended Action: Receive and file Citywide Sports Field Renovation Schedule for 2025-2026.

13. Receive and File the Notification by the City Engineer of the Final Tract Map No. 2020-01, County Tract Map No. 18178 at 1122 North Bewley Street (Applicant: XALT Developments LLC, a California Limited Liability Company) (No Fiscal Impact)

Department(s): Public Works Agency

Recommended Action: Receive and file the notification.

MOTION: Councilmember Bacerra moved to approve the recommended action for Item No. 13 as part of the Consent Calendar, seconded by Councilmember Penalzoa.

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

14. Receive and File the Notification by the City Engineer of the Final Tract Map No. 2023-02, County Tract Map No. 19238 at 2300 Redhill Avenue (Applicant: GS BOWERY OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND GS BOWERY OWNER II, LLC, A DELAWARE LIMITED LIABILITY COMPANY) (No Fiscal Impact)

Department(s): Public Works Agency

Recommended Action: Receive and file

MOTION: Councilmember Bacerra moved to approve the recommended action for Item No. 14 as part of the Consent Calendar, seconded by Councilmember Penalozza.

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

15. Purchase Order Contract to All American Asphalt for Asphalt and Concrete Materials (Specification No. 24-125) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Award a Purchase Order Contract to All American Asphalt for asphalt concrete materials for a term beginning January 21, 2025 and expiring January 20, 2026, with provisions for four, one-year renewals exercisable by the City Manager, for a total contract amount of \$400,000.

16. Appropriation Adjustment to Recognize Residential Development-District 2 Account Balance for Santiago Park Restroom Improvements (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Approve an appropriation adjustment to recognize \$50,000 accumulated fund balance in Acquisition and Development, Prior Year Carry Forward revenue account (31213002-50001) that will be appropriated for spending in the Acquisition and Development, Buildings and Building Improvements expenditure account (31213260-66200). *(Requires five affirmative votes)*

17. Approve an Appropriation Adjustment and Award a Construction Contract to Mike Bubalo Construction Co., Inc. for the Rousselle Street Flood Protection Project (Project No. 23-6627) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action:

1. Approve an appropriation adjustment to recognize \$831,000 in prior year fund balance in the Federal Clean Water Protection Fund, Prior Year Carryforward revenue account (No. 05717002-50001) and appropriate the same amount into the Federal Clean Water Protection Enterprise, Improvements Other Than Building expenditure account (No. 05717640-66220). *(Requires five affirmative votes)*
2. Approve an amendment to the Fiscal Year 2024-25 Capital Improvement Program to add \$831,000 of Federal Clean Water Protection Enterprise funding for the Rousselle Street Flood Protection Project (No. 23-6627).
3. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$5,139,259, which includes \$4,113,259 for the construction contract, \$615,000 for contract administration, inspection, and testing, and \$411,000 project contingency for unanticipated unforeseen work.
4. Award a construction contract to Mike Bubalo Construction Co., Inc., the lowest responsible bidder, in the amount of \$4,113,259, for construction of the Rousselle Street Flood Protection Project, for a term beginning January 21, 2025 and ending upon project completion, and authorize the City Manager to execute the contract.
5. Determine that, pursuant to the California Environmental Quality Act, the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2024-57 was filed with the Orange County Clerk-Recorder for the project.

AGENDA ITEM NO. 18 WAS PULLED FOR SEPARATE DISCUSSION AND CONSIDERATION

18. Appropriation Adjustment, Construction Contract to Select Electric, Inc., and Agreement with Santa Ana Unified School District for the Traffic Signal Installation at Segerstrom Avenue and Rosewood Avenue Project (Project No. 25-6030) (General Fund)

Department(s): Public Works Agency

Recommended Action:

1. Approve an appropriation adjustment recognizing \$1,242,686 in the Select Street Construction, Expense Reimbursement revenue account (No. 05917002-57000) and appropriate the same amount into the Select Street Construction,

Improvements Other Than Buildings expenditure account (No. 05917660-66220). *(Requires five affirmative votes)*

2. Authorize the City Manager to execute a Cooperative Agreement with Santa Ana Unified School District, in an amount not to exceed \$1,242,686, for the construction and construction engineering of the Traffic Signal Installation at Segerstrom Avenue and Rosewood Avenue, effective upon full approval of the agreement for a two-year term, with an option for extension (**Agreement No. A-2025-001**).
3. Approve an amendment to the Fiscal Year 2024-25 Capital Improvement Program to include an additional \$1,242,686 in construction funds from the Select Street Construction account for the Traffic Signal Installation at Segerstrom Avenue and Rosewood Avenue Project (No. 25-6030).
4. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$1,242,686, which includes \$994,149 for the construction contract, \$149,122 for contract administration, inspection, and testing, and a \$99,415 project contingency for unanticipated or unforeseen work due to the complexity and extensive scope of this project.
5. Award a construction contract to Select Electric, Inc., the second lowest responsible bidder, in accordance with the base bid in the amount of \$994,149, subject to change orders, for construction of the Traffic Signal Installation at Segerstrom Avenue and Rosewood Avenue Project (No. 25-6030), for a term beginning January 21, 2025 and ending upon project completion, and authorize the City Manager to execute the contract.
6. Determine that, pursuant to the California Environmental Quality Act, the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2024-107 was filled for Project No. 25-6030.

MINUTES: *Councilmember Bacerra asked for clarification regarding terms of completion for the project.*

Public Works Director Nabil Saba spoke regarding the date of completion for the project.

Discussion ensued regarding the completion date of the project in the contract and definition of working day.

Director Saba and City Engineer Rudy Rosas provided clarification.

Councilmember Lopez thanked staff and the school board for their hard work, efforts, and partnership.

MOTION: Councilmember Bacerra moved to approve the recommended action for Agenda Item No. 18, 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

19. Appropriation Adjustment and Agreement with Mesa Consolidated Water District for Street Improvements on Croddy Way from Chandler Avenue to MacArthur Boulevard (Project No. 25-6425) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action:

1. Approve an appropriation adjustment recognizing \$897,000 of prior-year fund balance in the Select Street Construction, Prior Year Carryforward revenue account (No. 05917002-50001) and appropriate the same amount into the Select Street Construction, Improvements Other Than Buildings expenditure account (No. 05917660-66220). *(Requires five affirmative votes)*
2. Approve an amendment to the Fiscal Year 2024-25 Capital Improvement Program to add funds in the amount of \$897,000 to Project No. 25-6425, Croddy Way Street Improvements Project (Project No. 25-6425).
3. Authorize the City Manager to execute a Cooperative Cost Reimbursement Agreement with the Mesa Consolidated Water District for improvements on Croddy Way within Santa Ana from Chandler Avenue to MacArthur Boulevard **(Agreement No. A-2025-002)**.

20. Award a Construction Contract to Aguilar & Calderon Corporation for the Sidewalk Replacement Project FY 24-25 (No. 25-6029) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action:

1. Approve an amendment to the Fiscal Year 2024-2025 Capital Improvement Program to include \$1,000,000 in construction funds for the Sidewalk Replacement Project FY 24-25 (No. 25-6029).

2. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$1,000,000, which includes \$731,255 for the construction contract, \$85,932 for contract administration, inspection, and testing, \$73,126 project contingency for unanticipated or unforeseen work due to the complexity and extensive scope of this project, and \$109,687 for additional work for contract change orders needed to reduce the City's sidewalk repairs backlog.
3. Award a construction contract to Aguilar & Calderon Corporation, the lowest responsible bidder, in accordance with the base bid and bid alternates in the amount of \$731,255, subject to change orders, for construction of the Sidewalk Replacement Project FY 24-25 Project (No. 25-6029), for a term beginning January 21, 2025 and ending upon project completion, and authorize the City Manager to execute the contract.
4. Determine that pursuant to the California Environmental Quality Act the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2024-102 was filed for Project No. 25-6029.

21. Agreements with National Safety Services, Inc., Ancon Marine, Inc. DBA Ancon Services, and Pro Safety & Rescue, Inc. for Confined Space Rescue and Safety Training Services (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute agreements with National Safety Services, Inc., Ancon Services, and Pro Safety & Rescue, Inc. to provide confined space rescue and safety training services, for a term beginning January 21, 2025 and expiring January 20, 2028 with provisions for two, one-year extensions, for a total aggregate amount not to exceed \$1,250,000 (**Core Agreement No. A-2025-003**).

22. Agreement with T.R. Holliman & Associates, Inc. for On-Call Technical Support for Water and Sewer-Related Projects (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an agreement with T.R. Holliman & Associates for on-call technical support for multiple water and sewer related projects and implement a template for completion of the City's Cross Connection Control Program Handbook, in an amount not to exceed \$50,000, for a one-year term beginning January 21, 2025 and expiring January 20, 2026 (**Agreement No. A-2025-004**).

23. Agreement Renewal with Azteca Systems, LLC for the Public Works Asset Management Software (Non General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a renewal with Azteca Systems, LLC for asset management software for a total amount not to exceed \$85,304, and extend the term to January 31, 2026, with no additional extensions (**Agreement No. A-2025-005**).

24. Appropriation Adjustment and Agreements with the County of Orange to Strengthen Regional Workforce Development Partnerships and Advancing Education-Industry Alignment Through WIOA Initiatives (Non-General Fund)

Department(s): Community Development Agency

Recommended Action:

1. Authorize the City Manager to execute an agreement with the County of Orange accepting grant funds of \$110,000 to assist in the coordination and implementation of the Regional Equity and Recovery Partnership (RERP) grant for the period from January 21, 2025 to December 31, 2025 (**Agreement No. A-2025-006**).
2. Authorize the City Manager to execute an agreement with the County of Orange accepting grant funds of \$30,000 for coordination of workforce efforts under the Regional Plan Implementation (RPI) 5.0 grant for the period of January 21, 2025 to March 31, 2025 (**Agreement No. A-2025-007**).
3. Approve an appropriation adjustment to recognize \$30,000 in funds from Orange County Grant Revenue Federal Grant-Indirect account (no. 12418002-52001) and \$110,000 from State Grant-Indirect account (no. 12418002-52027) and appropriating the same amounts to OC WIOA RPI 5.0 expenditure account (no. 12418750-various) and OC RERP expenditure account (no. 12418752-various), respectively. (*Requires five affirmative votes*)

25. Extension to the Memorandum of Understanding (“MOU”) for Classifications Represented by the Service Employees International Union Local 721 Part-Time Non Civil Service Employees Unit (“SEIU-PTNCS”)

Department(s): Human Resources

Recommended Action: Authorize the City Manager to execute an extension to the existing Memorandum of Understanding with SEIU-PTNCS regarding wages, hours, and other terms and conditions of employment effective through May 15, 2025, and authorize non-substantive changes which may be necessary to implement the agreement (**Agreement No. A-2025-008**).

26. Agreement with Allied Network Solutions, Inc. for Adobe Software and Subscriptions (Specification No. 24-103) (General and Non-General Fund)

Department(s): Information Technology

Recommended Action: Authorize the City Manager to execute an agreement with Allied Network Solutions, Inc. to provide Adobe Acrobat Software and Subscriptions, in an annual amount not to exceed \$150,000, for a term of 20-months expiring September 15, 2026, with provisions for two, one-year extensions.

27. Third Amendment with A1 Party Rental for Event Equipment Rental Services at City Events (General Fund)

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

Recommended Action: Authorize the City Manager to execute an agreement amendment with A1 Party Rental for event equipment rental services at City events to increase the annual amount by \$50,000 through March 31, 2025, for a new agreement total of \$590,000 (**Agreement No. A-2025-009**).

28. Summarily Vacate Portions of Hesperian Street, Cubbon Street, and Public Alley Right of Way - Abandonment 24-03

Department(s): Public Works Agency

Recommended Action: Adopt a Resolution rescinding City Council Resolution 94-031, and Summarily Vacate Portions of Hesperian Street, Cubbon Street, and Public Alley Right of Way - Abandonment 24-03

RESOLUTION NO. 2025-001 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA RESCINDING RESOLUTION NO. 94-031, AND VACATING PORTIONS OF CUBBON STREET, HESPERIAN STREET, AND A PUBLIC ALLEY WITHIN MARTIN LUTHER KING, JR. ELEMENTARY SCHOOL AT 1001 GRAHAM LANE, (ABANDONMENT NO. 2024-03)

AGENDA ITEM NO. 29 WAS PULLED FOR SEPARATE DISCUSSION AND CONSIDERATION

29. Resolution Recognizing the Japanese American Citizens League South East Los Angeles, North Orange County as a Community Stakeholder for the Civic Center Japanese Garden and Teahouse (No Fiscal Impact)

Department(s): Public Works Agency

Recommended Action: Adopt a resolution recognizing Japanese American Citizens League South East Los Angeles, North Orange County as a Community Stakeholder of the Civic Center Japanese Garden and Teahouse

RESOLUTION NO. 2025-002 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA IDENTIFYING THE JAPANESE AMERICAN CITIZENS LEAGUE SOUTHEAST LOS ANGELES, NORTH ORANGE COUNTY / ORANGE COUNTY CHAPTER AS A COMMUNITY STAKEHOLDER IN THE PRESERVATION OF THE ORANGE COUNTY JAPANESE TEA HOUSE AND GARDEN

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

Mayor Amezcua spoke in support of the item.

Councilmember Hernandez thanked staff for their hard work and efforts, spoke in support of the item, and requested the following language be added to the resolution, "The Orange County Japanese community under the supervision of the Selanoco Orange County JACL will be able to hold events four times a year at the Orange County Japanese Garden and Tea House free of charge. In addition, the City of Santa Ana will provide services, event equipment, and coordination, and support for each of the events free of charge to provide a unique Japanese cultural and historical experience for our community."

Councilmember Bacerra spoke in support of the item

Councilmember Vazquez spoke in support of the item.

Councilmember Penaloza spoke in support of the item, spoke regarding section 3 of the resolution, and requested the following language be added to section 3 of resolution, "that staff immediately notify the City Council of any redevelopment of the site."

City Manager Alvaro Nuñez requested clarification regarding the number of days regarding the four events.

Mayor Amezcua stated four days.

Mayor Pro Tem Phan spoke regarding Japanese Internment in America.

Councilmember Bacerra requested a minimum of four events and any additional days would be at the discretion of the City Manager.

MOTION: Councilmember Lopez moved to approve the recommended action for Item No. 29, as amended to add the language to the resolution, allowing for events four days annually at no cost with any additional events at the discretion of the City Manager and to add to section 3 that staff will immediately notify the City Council of any potential redevelopment of the site, seconded by Mayor Pro Tem Phan.

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

30. Resolution Establishing a Conflict-of-Interest Policy Covering Alternative Public Works Construction Delivery Methods Including Design-Build and Construction Manager At-Risk Projects (No Fiscal Impact)

Department(s): Public Works Agency

Recommended Action: Adopt a Resolution establishing a conflict-of-interest policy covering alternative public works construction delivery methods including design-build and construction manager at-risk projects, as allowed for in the City Charter and Santa Ana Municipal Code Chapter 33.

RESOLUTION NO. 2025-003 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ESTABLISHING A CONFLICT-OF-INTEREST POLICY COVERING DESIGN-BUILD AND CONSTRUCTION MANAGER AT RISK PROJECTS

31. Second Reading of Ordinance Amending and Adding Provisions to Chapter 10 (Crimes and Miscellaneous Law Enforcement Provisions) and Amending Related Sections in Chapter 31, Chapter 33 and Chapter 36 of the Santa Ana Municipal Code

First reading December 17, 2024 City Council meeting and approved by vote of 7-0.

Department(s): Police Department

Recommended Action: Conduct a second reading and adopt an ordinance adding and amending various articles and sections of the Santa Ana Municipal Code to prohibit conduct that interferes with public rights of access to public property to address changes in the law brought by the City of Grants Pass, Oregon V. Johnson, et. al., 144 S. Ct. 2202 (2024):

ORDINANCE NO. NS-3074 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING AND ADDING PROVISIONS TO CHAPTER 10 (CRIMES AND MISCELLANEOUS LAW ENFORCEMENT PROVISIONS) OF THE SANTA ANA MUNICIPAL CODE AND AMENDING RELATED SECTIONS IN CHAPTER 31 (RECREATION, PARKS AND PLAYGROUNDS), CHAPTER 33 (STREETS, SIDEWALKS AND PUBLIC WORKS), AND CHAPTER 36 (TRAFFIC) TO PROHIBIT CONDUCT THAT INTERFERES WITH THE PUBLIC'S RIGHTS OF ACCESS TO PUBLIC PROPERTY AND TO ADDRESS CHANGES IN LAW BROUGHT ABOUT BY CITY OF GRANTS PASS, OREGON V. JOHNSON, ET. AL., 144 S. Ct. 2202 (2024)

32. Second Reading of Uncodified Ordinance Amendment No. 2024-07 Amending the List of Replacement Parcels and Parcels Exempt from California Government Code Sections 65912.114 and 65912.124 Based on Written Findings Pursuant to California Government Code Sections 65912.114(i) and 65912.124(i)

First reading December 17, 2024 City Council meeting and approved by vote of 6-0-0-1 (Councilmember Lopez absent).

Department(s): Planning and Building Agency

Recommended Action:

1. Conduct a second reading and adopt an uncodified ordinance amending the list of replacement parcels and parcels exempt from California Government Code Sections 65912.114 and 65912.124 based on written findings pursuant to California Government Code Sections 65912.114(i) and 65912.124(i).

UNCODIFIED ORDINANCE NO. NS-3075 entitled AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE LIST OF REPLACEMENT PARCELS AND PARCELS EXEMPT FROM CALIFORNIA GOVERNMENT CODE SECTIONS 65912.114 AND 65912.124 BASED UPON WRITTEN FINDINGS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 65912.114(i) AND 65912.124(i)

2. Find and determine that adoption of this ordinance is not subject to the California Environmental Quality Act (CEQA). Pursuant to California Government Code sections 65912.114(o) and 65912.124(o), adoption of an ordinance by a city implementing the provisions of AB 2011 is statutorily exempt.

END OF CONSENT CALENDAR*

BUSINESS CALENDAR

MINUTES: At 7:41 P.M., the Business Calendar was considered.

33. Election of Mayor Pro Tem for 2025

Department(s): City Clerk’s Office

Recommended Action: Nominate and elect one Councilmember to serve as Mayor Pro Tem for calendar year 2025.

MOTION: Councilmember Penalzo nominated Councilmember Vazquez as the Mayor Pro Tem for calendar year 2025, 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

34. Resolution Amending the Council Rules and Procedures to Address Audio, Video, and Photographic Recording During City Council Meetings and Repealing Resolution No. 2023-047

Department(s): City Manager’s Office

Recommended Action: Adopt a Resolution amending the Council Rules and Procedures to address audio, video, and photographic recording during City Council meetings, and repealing Resolution No. 2023-047.

RESOLUTION NO. 2025-004 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE COUNCIL RULES AND PROCEDURES TO ADD PROVISIONS REGARDING AUDIO, VIDEO AND PHOTOGRAPHIC RECORDING DURING CITY COUNCIL MEETINGS AND REPEALING RESOLUTION NO. 2023-047

MINUTES: Councilmember Lopez requested changes to sections 7A and 7B to the resolution.

Discussion ensued regarding the Brown Act and City policy.

City Attorney Sonia Carvalho spoke regarding Brown Act language.

City Council reached consensus to keep section 7A as presented and to remove the following language from section 7B, “while recording, photographing or filming the City Council meeting. The presiding officer may order any person obstructing the aisles, entrances or exits while recording, photographing or filming of the City Council meeting to move to any another area of the Council Chambers.”

MOTION: Councilmember Bacerra moved to approve the recommended action for Item No. 34, as amended, to remove the following language from section 7B “while recording, photographing or filming the City Council meeting. The presiding officer may order any person obstructing the aisles, entrances or exits while recording, photographing or filming of the City Council meeting to move to any another area of the Council Chambers,” 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 LOPEZ, MAYOR PRO TEM VAZQUEZ, MAYOR AMEZCUA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE
Status: 7-0– Pass

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

PUBLIC HEARINGS

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

MINUTES: At 8:00 P.M., Public Hearing was considered.

35. Public Hearing - Zoning Ordinance Amendment No. 2024-03 – An Ordinance of the City Council of the City of Santa Ana Amending Article II (Use Districts) of Chapter 41 (Zoning) of the Santa Ana Municipal Code Relating to Accessory Dwelling Units (ADUs)

Legal notice published in the OC Reporter on December 30, 2024.

Department(s): Planning and Building Agency

Recommended Action:

1. Conduct a first reading and adopt Zoning Ordinance Amendment No. 2024-03 to amend Article II (Use Districts) of Chapter 41 (Zoning) of the Santa Ana Municipal Code related to accessory dwelling units to be in compliance with changes to State ADU law enacted under Senate Bill 1211 that took effect January 1, 2025.

ORDINANCE NO. NS-3076 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING ARTICLE II (USE DISTRICTS) OF CHAPTER 41 (ZONING) OF THE SANTA ANA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS TO BE IN COMPLIANCE WITH CHANGES TO STATE LAW ENACTED UNDER SENATE BILL 1211 AND MAKE OTHER MINOR CLARIFYING CHANGES

2. Determine that adoption of this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines.

MINUTES: *Councilmember Lopez spoke in support of the item*

Mayor Amezcua opened the Public Hearing at 8:01 P.M.

City Clerk Jennifer L. Hall stated there were no speakers.

There being no speakers, Mayor Amezcua closed the Public Hearing at 8:02 P.M.

MOTION: Councilmember Hernandez moved to approve the recommended action for Public Hearing Item No. 35, 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 LOPEZ, MAYOR PRO TEM VAZQUEZ, MAYOR AMEZCUA

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Status: 7 – 0 – Pass

****END OF PUBLIC HEARINGS****

RECESS

MINUTES: Mayor Amezcua recessed the City Council meeting and convened the Special Successor Agency meeting at 8:02 P.M.

RECONVENE

MINUTES: Mayor Amezcua adjourned the Special Successor Agency meeting and reconvened the City Council meeting to order at 8:04 P.M.

CITY MANAGER COMMENTS

MINUTES: City Manager Alvaro Nuñez invited everyone to attend the Santa Ana Tét (Lunar New Year) Festival on January 25, 2025 from 1:00 P.M. to 6:00 P.M. at Centennial Park.

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 Hernandez thanked City staff for their hard work and invited everyone to attend the Santa Ana Tét Festival on Saturday, January 25, 2025 from 1:00 P.M. to 6:00 P.M., at Centennial Park. He wished his daughter, Evoni Maya Hernandez, a Happy 15th Birthday.

Councilmember Phan spoke in remembrance of former President Jimmy Carter and his contributions to the country. She wished everyone a Happy Lunar New Year, and reminded everyone to attend the Santa Ana Tét Festival on January 25, 2025 from 1:00 P.M. to 6:00 P.M., at Centennial Park and the UVSA 2025 Tét Festival in Garden Grove on January 31, 2025.

Councilmember Lopez thanked staff for their hard work, invited everyone to attend the Santiago Creek Clean-Up event on January 25, 2025 from 9:00 A.M. to 12:00 P.M., and thanked Supervisor Sarmiento's Office and the California Department of Transportation (Caltrans) for sponsoring the event. She spoke regarding the immigrant and refugee community and the hardships they are facing, and requested staff create a webpage geared at providing information and resources.

Councilmember Penaloza wished everyone a Happy New Year and wished a Happy Birthday to Councilmember Hernandez's daughter, Library Director Brian Sternberg, Mayor Pro Tem Vazquez, and his own daughter.

Councilmember Bacerra announced his community office hours on February 8, 2025 at 10:00 A.M. at Sandpointe Park and announced he plans to attend the Santa Ana Tét Festival and the UVSA 2025 Tét Festival. He spoke regarding the continued actions taken to improve the City and wished everyone a Happy New Year and Happy Birthdays.

Mayor Pro Tem Vazquez thanked everyone who has supported the victims of the ongoing fires in Los Angeles County, spoke regarding Libro Mobile, the passing of former Police Officer Jose Vargas, and the City's Sanctuary Ordinance.

Mayor Amezcua disclosed under AB1234 her attendance at the U.S. Conference of Mayors in Washington, DC from January 16-19, 2025, thanked the Tamal Festival, wished a Happy Birthday to all the January birthdays, and congratulated Police Chief Rodriguez and Deputy Chiefs Chuck Elms, Jose Gonzalez, and Roland Andrade and announced their celebration on January 30, 2025 at the Bowers Museum. She announced she attended the OCSA Community Connects Arts Festival and invited all to attend. She stated she signed the Jimmy Carter Memorial at the Bowers Museum, was asked to speak at the Orange County Ministers Conference and the Orange County Heritage Council for Martin Luther King Day for celebration at the Church of God, and invited all to attend the 2025 Mayor's Prayer Breakfast on February 11, 2025 at 7:30 A.M. at Templo Calvario Church. She announced City calendars are coming.

ADJOURNMENT – Adjourn the City Council meeting.

MINUTES: *Mayor Amezcua adjourned the City Council Meeting in memory of Fire Fighter Kevin Skinner at 8:25 P.M.*

Respectfully submitted:

Jennifer L. Hall, CMC
City Clerk