

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



June 3, 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 4:13 P.M.*

ATTENDANCE

Council Members

Phil Bacerra

Johnathan Ryan Hernandez

Jessie Lopez

David Penaloza

Thai Viet Phan

Mayor Pro Tem

Benjamin Vazquez

Mayor

Valerie Amezcua

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 Bacerra and Phan, Mayor Pro Tem Vazquez, and Mayor Amezcua were present. Councilmembers Hernandez, Lopez, and Penaloza 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 reported out the summary of email comments received: one (1) Closed Session Agenda Item No. 3. There were no in-person or teleconference speakers.

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 4:14 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. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT pursuant to Section 54957(b)(1) of the Government Code:

Title: Police Oversight Commission Independent Oversight Director

2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6(a):

Agency Negotiator: Alvaro Nuñez, City Manager

Unrepresented Employee: Police Oversight Commission Independent Oversight Director

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 6:11 P.M.

ATTENDANCE

Councilmembers

Phil Bacerra

Johnathan Ryan Hernandez

Jessie Lopez

David Penaloza

Thai Viet Phan

Benjamin Vazquez

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, Penaloza, and Phan, Mayor Pro Tem Vazquez, and Mayor Amezcua were present.

PLEDGE OF ALLEGIANCE

Carl Benninger

WORDS OF INSPIRATION

Pastor Nati Alvarado

ADDITIONS\DELETIONS TO THE AGENDA

MINUTES: None.

CEREMONIAL PRESENTATIONS

1. Certificates of Recognition presented by Mayor Amezcua recognizing Lynn Nguyen and Alexander Magdaleno for Outstanding Academic Accomplishments

MINUTES: Mayor Amezcua presented certificates of recognition to Lynn Nguyen and Alexander Magdaleno for outstanding academic accomplishments.

2. Proclamation presented by Councilmember Lopez to The Alzheimer's Association declaring June 2025 as Alzheimer's and Brain Awareness Month

MINUTES: Councilmember Lopez presented a proclamation to The Alzheimer's Association declaring June 2025 as Alzheimer's and Brain Awareness Month.

3. Certificate of Recognition presented by Councilmember Phan recognizing Jay Taj for Outstanding Contributions to the Community

MINUTES: *Councilmember Phan presented a certificate of recognition to Jay Taj for 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 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: three (3) Agenda Item No. 7, one (1) Agenda Item No. 19, and (12) non-agenda comments.*

The following speakers addressed City Council in-person:

- 1. Heidi Landgraf expressed concern regarding AB 84.*
- 2. Ilya Tseglin spoke regarding drug cartels.*
- 3. Sue Palik spoke regarding the need for the Santa Ana Police Athletic and Activity League (SAPAAL) in communities.*
- 4. Windi Eklund expressed concern regarding AB 84 and requested the Council adopt a resolution opposing the bill.*
- 5. Ronna Yelin expressed concern regarding AB 84 and requested the Council adopt a resolution opposing the bill.*
- 6. Emilio Ramirez spoke in opposition to Item No. 20.*
- 7. Abraham Quintana requested the City Council direct the Personnel Board and the Police Oversight Commission to investigate Police Officers involved in the Noe Rodriguez incident.*
- 8. Rain Mendoza spoke regarding the Police Officers Association letter to the City Council regarding Community Service Organization (CSO), and requested the City Council direct the Personnel Board and the Police Oversight Commission investigate Police Officers involved in the Noe Rodriguez incident.*
- 9. Erika Armenta (translation: Spanish) spoke regarding her husband Noe Rodriguez's incident and requested all video footage related to the incident and that the officers be reprimanded for their actions.*

10. *David Pulido requested the City Council direct the Personnel Board and the Police Oversight Commission to investigate Police Officers involved in the Noe Rodriguez incident.*
11. *Ryan Murillo, with the Service Employees International Union (SEIU), spoke regarding Item No. 25, the vacancy report, and how vacancies can have a detrimental impact on the City and its employees.*
12. *Wendy Rodriguez (translation: Spanish) requested justice for Noe Rodriguez's family and spoke regarding his incident.*
13. *Emma Gottfried requested justice for Noe Rodriguez and requested the City Council direct the Personnel Board and the Police Oversight Commission to investigate Police Officers involved in the Noe Rodriguez incident.*
14. *Carl Benninger announced ComLink's awards night on June 26, 2025.*

The following speaker addressed City Council via teleconference:

15. *Patricia DeSantos expressed concern regarding trust between residents and the City Council regarding the City budget.*

<u>CONSENT CALENDAR</u>

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar Items: 4 through 22 and waive reading of all resolutions and ordinances.

MINUTES: At 7:15 P.M., the Consent Calendar was considered.

Councilmember Lopez announced a "No" vote on Agenda Item Nos. 20 and 22.

Councilmember Phan recused herself from Agenda Item No. 19 as the listed entity, City Ventures Homebuilding, LLC, is a client of her employer, Rutan and Tucker.

MOTION: Councilmember Bacerra moved to approve Consent Calendar Item Nos. 4 through 22, seconded by Mayor Amezcua.

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

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

4. Excused Absences

Department(s): City Clerk's Office

Recommended Action: Excuse the absent members.

5. Minutes from the Special Meeting of May 15, 2025

Department(s): City Clerk's Office

Recommended Action: Approve minutes.

6. Minutes from the Special Meetings of the Community Development Commission on October 14, 2024, November 13, 2024, and December 13, 2024; the Regular Meeting of the Workforce Development Board on January 16, 2025; the Regular Meeting of the Workforce Development Board Youth Council on February 13, 2025; the Regular Meeting of the Arts and Culture Commission on February 20, 2025; the Regular Meetings of the Rental Housing Board on February 19, 2025 and March 19, 2025, and the Regular Meetings of the Police Oversight Commission on March 13, 2025 and April 10, 2025

Department(s): City Clerk's Office

Recommended Action: Receive and file.

7. Public Meeting Regarding Renewing the Santa Ana Tourism Marketing District (SATMD)

Legal notice published in the OC Reporter on May 16, 2025.

Department(s): Community Development Agency

Recommended Action: Hear public testimony regarding the proposed renewal of the SATMD, pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. No Council Action required.

8. Federal Funding Update

Department(s): City Manager's Office

Recommended Action: Receive and file.

9. Approve the Recognition of \$53,513 of Revenue for Certain Unclaimed Monies from Various City Funds (General Fund)

Department(s): Finance and Management Services

Recommended Action: Approve the recognition of \$53,513 of revenue in the General Fund for certain unclaimed deposits, as allowed by state law.

10. Fiscal Year 2024-25 Third Quarter Budget Report and Proposed Appropriation Adjustments

Department(s): Finance and Management Services

Recommended Action:

1. Receive and file the Fiscal Year 2024-25 Third Quarter Budget Update.
2. Approve the recommended appropriation adjustments. *(Requires five affirmative votes)*

11. Agreement with Siemens Industry, Inc. for Installation of a Security Camera System at the Delhi Library Branch (General Fund)

Department(s): Library

Recommended Action: Authorize the City Manager to execute an Agreement with Siemens Industry, Inc. in the amount of \$64,603 to provide, install, and program a security camera system at the Delhi Library Branch, for a term expiring October 31, 2025 (**Agreement No. A-2025-078**).

12. Facility Use Agreement Amendment with Santiago Park Archers for the Use of the Archery Range at Santiago Park

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

Recommended Action: Authorize the City Manager to execute a Facility Use Agreement with Santiago Park Archers to reflect an annual rate of \$1,040, payable to the City on the first of the month following execution of this agreement, for use of the Santiago Park Archery Range for a five-year term beginning June 5, 2025 through June 4, 2030, with the option to extend up to two (2), one (1) year periods (**Agreement No. A-2025-079**).

13. Agreement with Act I Group, Inc. DBA Advanced Technology Information Management Systems for Jail Management System Maintenance (General Fund & Non-General Fund)

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute an agreement with Advanced Technology Information Management Systems for jail management system software maintenance and customer support in a total amount not to exceed \$523,915 for a term beginning June 3, 2025 through December 18, 2027, including two optional one-year extensions and a contingency amount (**Agreement A-2025-080**).

14. First Amendment to Agreement with LAZ Parking California LLC to Continue Providing Parking Enforcement Services

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute the first amendment to the agreement with LAZ Parking California LLC to continue providing parking enforcement services with amended scope for an additional one-year term from July 1, 2025 through June 30, 2026 and increase the contract amount by \$1,010,855 covering the additional one year of service for a total aggregate amount not to exceed \$2,887,743 (**Agreement No. A-2025-081**).

15. Service Agreement with Pacific Coast Elevator Corporation DBA Amtech Elevator Services for Elevator Maintenance and Repair Services (General Fund & Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Approve an agreement with Pacific Coast Elevator DBA Amtech Elevator Services to provide elevator maintenance and repair services in an amount not to exceed \$2,101,605 for the term beginning July 1, 2025 and expiring June 30, 2028, with provisions for one, two-year period (**Agreement No. A-2025-082**).

16. Agreement with Landscape West Management Services, Inc. for Median and Right of Way Landscaping Maintenance Services (Specification No. 25-058) (General Fund & Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Approve an agreement with Landscape West Management Services, Inc. for Median and Right of Way Landscaping Maintenance Services in an amount not to exceed \$9,370,000 for a three-year term beginning July 1, 2025 and expiring June 30, 2028, with provisions for two, one-year renewal options (**Agreement No. A-2025-083**).

17. Agreement with Arcadis U.S., Inc. to Implement the McFadden Avenue Transit Signal Priority Pilot Project (No. 25-6031) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Approve an agreement with Arcadis U.S., Inc. to implement the McFadden Avenue Transit Signal Priority Pilot Project for an amount not to exceed \$1,107,502, for a term beginning June 3, 2025 and ending June 2, 2027, with provisions for two one-year extensions (**Agreement No. A-2025-084**).

18. Resolution Approving the City's Annual Statement of Investment Policy 2025-2026; Annual Statement of Investment Policy 2025-2026

Department(s): Finance and Management Services

Recommended Action:

1. Adopt a Resolution approving the City's 2025-2026 Investment Policy.

RESOLUTION NO. 2025-019 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE CITY'S STATEMENT OF INVESTMENT POLICY 2025-2026

2. Receive and file the Annual Statement of Investment Policy 2025-2026.

19. Density Bonus Agreement No. 2025-02 to Facilitate the Construction of a Residential Development Consisting of Thirty-Six (36) Attached For-Sale Townhomes, Which Includes Four (4) Units Designated as Affordable to Moderate Income Households, at 125 and 205 South Harbor Boulevard

Department(s): Planning and Building Agency, Community Development Agency

Recommended Action:

1. Adopt a resolution approving Density Bonus Agreement No. 2025-02; and

RESOLUTION NO. 2025-020 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING DENSITY BONUS AGREEMENT NO. 2025-02 TO ALLOW A THIRTY-SIX UNIT SINGLE-FAMILY ATTACHED TOWNHOME DEVELOPMENT FOR THE PROPERTY LOCATED AT 125 AND 205 SOUTH HARBOR BOULEVARD (APN: 144-311-15 & 144-311-14)

2. Determine that, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the recommended action is exempt from further review under Section 15195 (Residential Infill Exemption), as this project meets all the threshold criteria set forth in Section 15192 (Threshold Requirements for Exemption); and

3. Approve a Density Bonus Agreement with 205 S Harbor Plaza, LLC, for a 55-year term, for a for-sale residential development consisting of thirty-six (36) attached for-sale townhomes, which includes four (4) units designated as affordable to moderate-income households at 125 and 205 S. Harbor Boulevard (**Agreement No. A-2025-085**).

MINUTES: Councilmember Phan recused herself from Agenda Item No. 19 as the listed entity, City Ventures Homebuilding, LLC, is a client of her employer, Rutan and Tucker.

MOTION: Councilmember Bacerra moved to approve the recommended action for Item No. 19 as part of the Consent Calendar, seconded by Mayor Amezcua.

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

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

20. Resolution to Maintain Measure M2 Funding Eligibility

Department(s): Public Works Agency

Recommended Action: Adopt a resolution affirming consistency between the City's Mobility Element and the Orange County Master Plan of Arterial Highways (MPAH), concurring with the existing Transportation System Improvement Area fee program per Orange County Transportation Authority (OCTA) 2025-26 Measure M2 eligibility requirements.

RESOLUTION NO. 2025-021 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CONCERNING THE STATUS AND UPDATE OF THE MOBILITY ELEMENT, AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM

MOTION: Councilmember Bacerra moved to approve the recommended action for Item No. 20 as part of the Consent Calendar, seconded by Mayor Amezcua.

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

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

21. Resolution to Maintain Eligibility for the Fiscal Year 2025-26 Senate Bill 1 Local Streets and Roads, Road Repair and Accountability Act Funding Program (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Adopt a resolution affirming the Fiscal Year 2025-26 Senate Bill 1 projects list and anticipated Road Maintenance and Rehabilitation Account funding in the amount of \$8,154,314, to be submitted to the California Transportation Commission for budgeting the Fiscal Year 2025-26 Capital Improvement Program and maintaining eligibility for Road Repair and Accountability Act funding.

RESOLUTION NO. 2025-022 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING A LIST OF PROJECTS TO BE FUNDED BY FISCAL YEAR 2025-26 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

22. Second Reading and Adoption - Ordinance Adding Article XII Entitled Disclosure of Certain Enforcement Actions to Chapter 2 of the Santa Ana Municipal Code Requiring Disclosure of Federal Election Commission and California Fair Political Practices Commission Enforcement Actions

First reading conducted at the May 20, 2025 City Council meeting and approved by vote of 6-1. Legal notice published in the OC Reporter on May 23, 2025.

Department(s): City Manager's Office

Recommended Action: Conduct a second reading and adopt an Ordinance adding Article XII entitled Disclosure of Certain Enforcement Actions to Chapter 2 of the Santa Ana Municipal Code requiring disclosure of Federal Election Commission and California Fair Political Practices Commission enforcement actions:

ORDINANCE NO. NS-3080 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADDING ARTICLE XII ENTITLED DISCLOSURE OF CERTAIN ENFORCEMENT ACTIONS TO CHAPTER 2 OF THE SANTA ANA MUNICIPAL CODE REQUIRING DISCLOSURE OF FEDERAL ELECTION COMMISSION AND CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION ENFORCEMENT ACTIONS FOR CERTAIN LICENCES, PERMITS OR OTHER ENTITLEMENTS FOR USE

MOTION: Councilmember Bacerra moved to approve the recommended action for Item No. 22 as part of the Consent Calendar, seconded by Mayor Amezcua.

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

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

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

<u>PUBLIC HEARINGS</u>

MINUTES: At 7:17 P.M., the Public Hearings were considered.

23. Public Hearing – Approve the Fiscal Year 2025-29 Five-Year Consolidated Plan, Fiscal Year 2025-26 Annual Action Plan and Budgets for the Community Development Block Grant, HOME Investment Partnerships Grant, and Emergency Solutions Grant for Submission to the U.S. Department of Housing and Urban Development; and Receive and File the Fiscal Year 2025-29 Regional Assessment of Fair Housing.

Published in the OC Register, La Opinion, and Nguoi Viet on April 28, 2025.

Department(s): Community Development Agency

Recommended Action:

1. Approve the Fiscal Year 2025-29 Five-Year Consolidated Plan and Fiscal Year 2025-26 Annual Action Plan for submission to the U.S. Department of Housing and Urban Development.
2. Approve the Fiscal Year 2025-26 budgets for the Community Development Block Grant Program in the total amount of \$4,366,478, HOME Investment Partnerships grant in the amount of \$1,159,062, and Emergency Solutions Grant in the amount of \$377,330.

3. Authorize the City Manager to prepare and approve funding agreements and/or memorandums of understanding with various city departments and nonprofit public service providers awarded funds as part of the approved budget for the Community Development Block Grant program and the Emergency Solutions Grant program for a term beginning July 1, 2025 through June 30, 2026.
4. Receive and file the Fiscal Year 2025-29 Regional Assessment of Fair Housing.

MINUTES: *Mayor Amezcua opened the Public Hearing at 7:18 P.M.*

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

Mayor Amezcua closed the Public Hearing at 7:19 P.M.

MOTION: Mayor Amezcua moved to approve the recommended action for Public Hearing Item No. 23, seconded by Mayor Pro Tem Vazquez.

The motion carried, 5-0-0-2, by the following roll call vote:

AYES: COUNCILMEMBER BACERRA, COUNCILMEMBER
PENALOZA, COUNCILMEMBER PHAN, MAYOR PRO
TEM VAZQUEZ, MAYOR AMEZCUA
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBER HERNANDEZ, COUNCILMEMBER
LOPEZ
Status: 5 – 0 – 0 – 2 – **Pass**

- 24. Public Hearing - Resolution to Make Findings and Adopt Addendum to the Transit Zoning Code Environmental Impact Report (State Clearinghouse Number No. 2006071100), Zoning Ordinance Amendment (ZOA) No. 2024-02 and Amendment Application (AA) No. 2024-03 Amending Certain Sections of Article XIX (The Transit Zoning Code, Specific Development No. 84) of Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC) Addressing Industrial Land Uses, Nonconformities, and Operating Standards, and Amending the City of Santa Ana Zoning Map to Remove the Light Industrial (M1) and Heavy Industrial (M2) Suffixes from Certain Properties Within the SD-84 District Boundary**

Legal notice published in the OC Reporter on March 21, 2025 and mailed on same day; Public Hearing continued from April 1, 2025 City Council meeting and notice was posted on April 2, 2025; Continued public hearing was re-continued from the May 6, 2025 City Council meeting and notice was posted on May 7, 2025.

Department(s): Planning and Building Agency

Recommended Action:

1. Adopt a resolution to make findings pursuant to Public Resources Code and to adopt the Addendum to the Transit Zoning Code Environmental Impact Report (State Clearinghouse Number No. 2006071100). Pursuant to the California Environment Quality Act (CEQA), and based on independent review and analysis, and the administrative record as a whole, that, in exercising its independent judgement, amend TZC SD-84 Final EIR with an addendum that the City Council find that pursuant to CEQA Guidelines Section 15162, no subsequent Environmental Impact Report (EIR) is required for the adoption of the proposed Ordinances; and pursuant to CEQA Guidelines Section 15164, an addendum to the Transit Zoning Code EIR was accordingly prepared.

RESOLUTION NO. 2025-023 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO MAKE FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND TO ADOPT THE ADDENDUM TO THE TRANSIT ZONING CODE ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NUMBER NO. 2006071100)

2. Adopt an ordinance to approve Zoning Ordinance Amendment (ZOA) No. 2024-02 amending certain sections of Article XIX (The Transit Zoning Code, Specific Development No. 84 (SD-84)) of Chapter 41 (Zoning) of the Santa Ana Municipal Code including amendments to the regulations, overlay districts and maps in the zoning district; modifying the authorized land uses and permit types; establishing revised non-conforming use regulations, including the addition of an amortization/termination of use process and adding operational standards for certain permitted and non-conforming uses.

ORDINANCE NO. NS-3081 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING ZONING ORDINANCE AMENDMENT NO. 2024-02, AMENDING CERTAIN SECTIONS OF CHAPTER 41 (ZONING) OF ARTICLE XIX OF THE SANTA ANA MUNICIPAL CODE RELATED TO THE REGULATIONS, OVERLAY DISTRICTS AND MAPS IN THE TRANSIT ZONING CODE/SPECIFIC DEVELOPMENT (SD) NO. 84 ZONING DISTRICT; MODIFYING THE AUTHORIZED LAND USES AND PERMIT TYPES; ESTABLISHING REVISED NONCONFORMING USE REGULATIONS, INCLUDING THE ADDITION OF AN AMORTIZATION/TERMINATION OF USE PROCESS AND ADDING OPERATIONAL STANDARDS FOR CERTAIN PERMITTED AND NONCONFORMING USES

3. Adopt an ordinance to approve Amendment Application (AA) No. 2024-03 amending the zoning by removing the M1 (Light Industrial) and M2 (Heavy Industrial) suffixes from certain properties within the SD-84 zoning district boundary as designated on the City of Santa Ana Zoning Map.

ORDINANCE NO. NS-3082 entitled AMENDMENT APPLICATION (AA) NO. 2024-03 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA ANA BY REMOVING THE M1 (LIGHT INDUSTRIAL) AND M2 (HEAVY INDUSTRIAL) SUFFIXES FROM CERTAIN PROPERTIES WITHIN THE SD-84 ZONING DISTRICT BOUNDARY

MINUTES: Councilmember Phan announced her recusal as her employer, Rutan and Tucker, has clients in the noticed area and left the dais at 7:20 P.M.

Mayor Amezcua opened the Public Hearing at 7:20 P.M.

City Clerk Jennifer L. Hall stated there were five (5) e-comments received and announced speakers would have two minutes to provide their comments.

The following individuals addressed City Council in-person:

1. Robert Adams thanked staff for their hard work and efforts on the ordinance and answering questions and requested City Council vote “No” on recommended action nos. two and three.
2. Ilya Tseglin spoke regarding financing the illegal drug trades and his son.
3. Michael Payton spoke in support of the item and future amendments.
4. Mihran Toumajan requested City Council vote “No” on recommended action nos. two and three.
5. Jason Rush spoke in opposition to the item.
6. Jack Hogan spoke in opposition to the item.
7. Dan Domonoske spoke regarding compliance and looked forward to working collaboratively with the City.
8. Charlie Winn spoke in opposition to the item.
9. Michael Andrade spoke in support of the item.
10. Joe Andrade spoke in support of the item.

11. Mike Tardif spoke regarding the mislabeling of noxious businesses and the need for a balanced approach.

12. Kelly Kraus-Lee requested the M1 and M2 overlay be removed.

13. Jack Haley spoke in opposition to the removal of the overlay and spoke in opposition to the item.

The following individual addressed City Council via teleconference:

14. Resident spoke in support of the item.

Mayor Amezcua closed the Public Hearing at 7:50 P.M.

Councilmember Hernandez spoke about the residents' concerns regarding public safety, pollution, and noise concerns and spoke in support of the item.

Councilmember Bacerra spoke regarding the Logan and Lacy neighborhood, residents' concerns, and proposed the following amendments:

- Section 5 change "SAMC section 41-2002 subsection a subsections 8a-8d replace the word "nonconforming" with "noxious," where appropriate.
- Section 5 41-2002 (a7) subsection 2 add the word "determined" before the word "violation."
- Section 9 41-2007 (g): strike "UN-2".
- Section 11 a (4), strike: "or lapses in business license renewal".
- Section 11 41-2009 and changing it to 41-2008 (m).

Acting Planning and Building Executive Director Ali Pezeshkpour provided a brief summary of Councilmember Bacerra's proposed amendments.

Mayor Amezcua asked for clarification regarding the proposed amendments and addressing the residents' concerns.

Acting Director Pezeshkpour reported that the proposed ordinance and amendments would address the residents' concerns.

Councilmember Lopez thanked staff for all of their hard work on the item. She requested staff address versions of the item, summarize the evolution of the item, whether the proposed ordinance would be constitute a "taking", and requested staff define "noxious" and the change in amortization.

Acting Director Pezeshkpour spoke regarding the evolution of the item, using amortization as a tool, the difference between nonconforming vs. noxious, and the proposed operating standards.

City Manager Alvaro Nuñez stated that prohibiting idling vehicles would allow the Police Department and Code Enforcement to enforce any violations.

Councilmember Lopez inquired about carve outs in the proposed ordinance.

City Manager Nuñez clarified that there are carve outs within the ordinance, however they must be within the parameters of what is considered noxious use.

City Attorney Sonia Carvalho referenced an analysis of the item prepared by her office for the Council and stated that Councilmember Bacerra's proposed amendments address some of the key issues, including the amortization of current land use and possible challenges.

Mayor Amezcua spoke regarding voting history of the item, amortization, and inquired about the specialized counsel staff collaborated with on the item.

Councilmember Bacerra inquired whether the proposed ordinance would address the environmental impacts of businesses such as open air recycling centers in the area, and expressed frustration at what he believes was a disconnect between City Attorney staff and the Council.

City Attorney Carvalho addressed Councilmember Bacerra's concerns.

Assistant City Manager Minh Thai stated that while the proposed ordinance does address residents' concerns, it also addresses the business's concerns in a way that staff deems equitable and noted that it will be a long process.

MOTION: Councilmember Hernandez moved to approve the recommended action for Public Hearing Item No. 24, with the following five amendments:

- **Section 5 SAMC 41-2002 Subsection 7 (2) to state “determined to be in violation”**
- **Section 5 SAMC 41-2002 Subsection 8 changing “nonconforming uses” to “noxious uses” and additional relative instances of the same term**
- **Section 9 SAMC Section 41-2007 subsection (g), to remove UN-2**
- **Section 11 to move SAMC Section 41-2009 to 41-2008 subsection (m)**
- **Section 11 SAMC Subsection 4 to remove “lapses in business license renewal,” 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, MAYOR PRO TEM
VAZQUEZ, MAYOR AMEZCUA
NOES: NONE
ABSTAIN: COUNCILMEMBER PHAN (recusal)
ABSENT: NONE
Status: 6 – 0 – 1 – **Pass**

MINUTES: Councilmember Phan returned to the dais at 8:38 P.M.

25. Public Hearing to Consider an Ordinance to Adopt the Fiscal Year 2025-26 Budget, Approve a Resolution for Changes to the City's Basic Classification and Compensation Plan Budget, Changes to the Executive Management Team's Classification and Compensation Plan, Adopt the Uniform Schedule of Miscellaneous Fees, Adopt the Seven-Year Capital Improvement Program, and the City's Annual Update to Comply with AB2561

Legal notice published in the OC Reporter on May 22 and May 28, 2025.

Department(s): Finance and Management Services

Recommended Action:

1. Approve the introduction and first reading of an Ordinance to adopt the budget for Fiscal Year 2025-26 (FY25-26), which begins on July 1, 2025 and ends on June 30, 2026. *(Requires five affirmative votes)*

UNCODIFIED ORDINANCE NO. NS-3083 entitled AN
UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA
ANA APPROPRIATING MONIES TO THE SEVERAL OFFICES, AGENCIES,
AND DEPARTMENTS OF THE CITY FOR FISCAL YEAR BUDGET PERIOD
COMMENCING JULY 1, 2025

2. Adopt a Resolution to effect certain changes to the City's basic classification and compensation plan, such as addition of new classification titles.

RESOLUTION NO. 2025-024 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

3. Adopt a Resolution to effect certain changes to the City's Classification and Compensation Plan for the Executive Management Classification.

RESOLUTION NO. 2025-025 entitled A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF SANTA ANA AMENDING RESOLUTION NO.
2024-001 TO EFFECT CERTAIN CHANGES TO THE CITY'S
CLASSIFICATION AND COMPENSATION PLAN FOR THE EXECUTIVE
MANAGEMENT CLASSIFICATION

4. Adopt a resolution establishing a Uniform Schedule of Miscellaneous Fees for Fiscal Year 2025-26.

RESOLUTION NO. 2025-026 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ESTABLISHING A UNIFORM SCHEDULE OF MISCELLANEOUS FEES FOR FISCAL YEAR 2025-26

5. Adopt the Seven-Year Capital Improvement Program (CIP) beginning FY25-26 through FY31-32, as required by the Orange County Transportation Authority (OCTA) for Measure M2 eligibility.
6. Deposit \$1,000,000 into the Section 115 Pension Trust Fund as part of the City's Pension Debt Strategy.

MINUTES: *Mayor Amezcua recessed the City Council meeting for a break at 8:39 P.M.*

Mayor Amezcua reconvened the City Council meeting to order at 8:49 P.M.

Acting Executive Director of Finance and Management Services Alex Trinidad provided a presentation regarding the Fiscal Year 2025-26 Budget.

Mayor Pro Tem Vazquez thanked staff for the proposed budget and spoke in support of the item.

Councilmember Lopez thanked staff and residents for their hard work and requests and spoke in support of the item.

Councilmember Penaloza spoke in support of the item.

Councilmember Phan thanked staff for their hard work and spoke in support of the budget.

Councilmember Bacerra thanked staff for their hard work and spoke regarding the budget.

Councilmember Hernandez thanked staff for their hard work and spoke in support of the proposed budget.

Mayor Amezcua thanked staff for their hard work and efforts and spoke in support of the proposed budget.

Mayor Amezcua opened the Public Hearing at 9:14 P.M.

City Clerk Jennifer L. Hall stated there were three (3) e-comments received.

The following individual addressed City Council in-person:

- 1. Emilio Ramirez spoke in opposition to the funding of the widening of arterial roads.*

Mayor Amezcua closed the Public Hearing at 9:17 P.M.

Councilmember Bacerra spoke regarding the widening of streets.

MOTION: Councilmember Penaloza moved to approve the recommended action for Public Hearing Item No. 25, 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 PHAN, MAYOR PRO TEM VAZQUEZ, MAYOR AMEZCUA
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE
Status:	7 – 0 – Pass

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

CITY MANAGER COMMENTS

MINUTES: *City Manager Alvaro Nuñez thanked Council for the approval of the budget and spoke regarding the budget. He announced, in partnership with the cities of Garden Grove, Westminster, and Fountain Valley, the sponsorship of the 50 Years of Little Saigon's Resilience on June 5, 2025 at the Great Wolf Lodge, announced extended hours at the Zoo, encouraged submission of applications from local business and organizations to participate in City events, and stated Saturday, June 7-9, 2025 is garage sale weekend.*

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: *Mayor Pro Tem Vazquez congratulated the residents of the Logan and Lacy Neighborhood, stated he looks forward to Movies at the Park, and announced Santa Ana Unified School District (SAUSD) from June to July will provide lunch and breakfast to students.*

Councilmember Lopez invited the community to attend Movies at the Park at Santiago Park on June 13, 2025 at 6:30 P.M., announced the ground breaking for the Bristol-Tolliver Street Urban Greening Project on June 16, 2025 at 4:00 P.M. and summer park clean-up, and congratulated the graduating class of 2025.

Councilmember Penaloza thanked staff for the Memorial Day event at Memorial Park and invited all to attend Movies at the Park at Memorial Park on July 18, 2025.

Councilmember Phan expressed excitement to speak on the panel at the Little Saigon Community, announced her attendance at the Annual Nicholas Academy Center graduation celebration on Friday, June 6, 2025 honoring the class of 2025, and congratulated the graduating class of 2025.

Councilmember Bacerra congratulated the class of 2025, announced his office hours on Saturday June 21, 2025 at 10:00 A.M. at Sandpointe Park and Orange County Fire Authority (OCFA) Water Safety Fire Pop-Up Event on June 4, 2025 at 3:00 P.M. at Fire Station 76, and wished all a Happy Philippine Independence Day.

Councilmember Hernandez invited the community to attend Movies at the Park at El Salvador Park on June 6, 2025, announced a free housing expo at Santa Ana College on Saturday, June 7, 2025 from 9:00 A.M. to 12:00 P.M. and a Juneteenth event on June 14, 2025 at Centennial Park, encouraged individuals to sign up their vehicles for the Chicano Heritage Festival, and closed in memory of Native American leader Jonathan Joss. He left the meeting at 9:33 P.M.

Mayor Amezcua announced the new SantaApp is now out, congratulated the graduating class of 2025, wished all the fathers a Happy Father's Day and a Happy Birthday to Claudia Perez, spoke regarding the ribbon-cutting ceremony of Project Kinship and tour of the new location, Memorial Day Services, and her QOLT team experience; announced butterflies are back the Zoo and encouraged all to visit; announced the State of the City on June 26, 2025 and Coffee with the Mayor on June 14, 2025 at OCFA Fire Station 79; and closed in memory of Baldwin Park Police Officer Samuel Riveras.

ADJOURNMENT – Adjourn the City Council meeting.

MINUTES: Mayor Amezcua adjourned the City Council Meeting at 9:48 P.M. in memory of Baldwin Police Officer Samuel Riveras.

Respectfully submitted:

Jennifer L. Hall, CMC
City Clerk