



**DRAFT MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF  
SANTA ANA, CALIFORNIA**

**December 15, 2020**

**CLOSED SESSION MEETING**

CLOSED SESSION MEETING OF THE CITY COUNCIL - DECEMBER 15, 2020 - 5:00 P.M.

**CALL TO ORDER - MAYOR SARMIENTO**

**COUNCILMEMBERS Present:**

Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penalosa, Mayor Sarmiento

**COUNCILMEMBERS Absent:**

None

Mayor Sarmiento called the Closed Session meeting to order at 5:05 p.m. and announced that he recused himself from Closed Session Item No. 1.

**PUBLIC COMMENTS**

None.

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: Santa Ana Needs Equity, et al v. City of Santa Ana, et al., Orange County Superior Court, Case No. 30-2019-01113224-CU-WM-CXC

CLOSED SESSION REPORT - The City Attorney will report on any action(s) to be taken at the Regular Open Session Meeting which will begin immediately following the Closed Session Meeting.

ADJOURN CLOSED SESSION AND CONVENE TO THE REGULAR OPEN SESSION. Mayor Pro Tem Penalosa adjourned Closed Session meeting at 5:40 p.m. and convened to the Regular Open Session at 5:54 p.m.

REGULAR OPEN MEETING - 5:45 p.m. (Immediately following the Closed Session Meeting)

**CALL TO ORDER - MAYOR SARMIENTO**

Mayor Sarmiento called the Regular Open Session to order at 5:54 p.m.

**COUNCILMEMBERS Present:**

Councilmember Bacerra, Councilmember Hernandez  
Councilmember Lopez  
Councilmember Mendoza  
Councilmember Phan  
Mayor Pro Tem Penaloza  
Mayor Sarmiento

**COUNCILMEMBERS Absent:**

None

**STAFF Present:**

None

Clerk of the Council made an announcement regarding Boards and Commissions

COUNCILMEMBERS BACERRA, HERNANDEZ, LOPEZ, MENDOZA, PENALOZA AND PHAN

**PLEDGE OF ALLEGIANCE - MAYOR SARMIENTO**

**INVOCATION - Vincent Barringer, Police Chaplain**

Invocation was issued by Hussam Ayloush.

**CEREMONIAL PRESENTATIONS**

1. **CERTIFICATE OF RECOGNITION** presented by **COUNCILMEMBER MENDOZA** to Alice Kao for her Outstanding Contributions to the Community.

Ceremonial presentation was considered after Staff Presentation on the COVID-19 update in the community.

**STAFF PRESENTATIONS**

1. **COVID-19 Update in the Community**

City Manager Kristine Ridge provided a brief summary update.

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

City Attorney Sonia Carvalho stated there was no reportable action.

### **PUBLIC COMMENTS**

Clerk of the Council Daisy Gomez provided instructions on providing public comment.

Clerk of the Council Daisy Gomez provided a report of eComments received.

Adela Montanez congratulated the incoming council and spoke in opposition to Item 11A.

An unidentified speaker expressed concern regarding a lack of low income housing.

Rachel Posos requested council's support towards Alliance Trans Latinx.

Rosa Ramirez spoke in opposition to Item 11A.

Fausto Ramirez spoke in opposition to Item 11A.

Juan Garcia, liaison for Northgate, clarified concerns related to Item 11A.

Alexis Teodoro spoke in opposition to Item 11A.

An unidentified speaker spoke regarding Item 20C.

Sammy Carmona spoke in support of Item 11A.

Penelope Lopez spoke in opposition to Item 11A.

Alondra spoke in opposition to Item 11A.

Jackie Cordova spoke in opposition to Items 11A, 20C, and 23A.

Dave Elliot with the Chamber of Commerce spoke in support of Item 11A and welcomed incoming council.

Sarai Arpera spoke in opposition to Item 11A.

Isuri Ramos spoke in opposition to Item 11A.

Abraham Sandoval congratulated incoming council and spoke in opposition to Item 11A.

Kimberly Castro spoke in opposition to Item 11A.

Araceli Robles spoke in opposition to Item 11A.

Maria Victoria spoke in opposition to Item 11A.

Cesar Covarrubias, Executive Director with the Kennedy Commission, spoke in opposition to Item 11A.

David Carbajal spoke in opposition to Item 11A.

Bulmaro Vicente spoke in support of Item 65D and in police oversight.

Albert Castillo spoke in opposition to Item 11A.

Evan Grant, on behalf of Kara Grant Law, spoke regarding existing litigation.

Speaker Martinez spoke in opposition to Item 11A.

Erica Gonzalez spoke in opposition to Items 11A, 11B, and 20C.

Carla Yaonicia spoke in opposition to Item 11A.

Victor Mendez spoke regarding public comment process and various items.

Khloe Rios-Wyatt, with Aliansa Trans-LATINX, spoke in opposition to Item 11A and spoke regarding her organization.

Manny Escamilla congratulated incoming council and spoke in support of Item 20E, recommendation for a property listed Item 80A, and spoke regarding Item 11A.

Carla Juarez spoke in opposition to Item 11A.

Leonel Velasquez spoke in opposition to Item 11A and lack of affordable low income housing.

Erick Carbajal spoke in opposition to Item 11A and various other topics.

Gabby Hernandez Castillo spoke regarding Items 20C and 75A, residents struggle, and in opposition to luxurious developments.

Melissa Palmerin spoke regarding to place literature regarding the Indigenous or Native Tribes of Santa Ana on the City's website.

## CONSENT CALENDAR

**Motion to approve** the Consent Calendar Items with the following modifications.

Approve staff recommendations on the following Consent Calendar Items 11A through 55E with the exception of items: 11A, 20A, 20C, 20D, 20E, 22B, 25E, and 55B. Mayor Sarmiento abstained from item 11A and Councilmember Phan abstained from 55D.

Councilmember Bacerra motioned to approve the remaining consent calendar items, seconded by Mayor Pro Tem Penaloza.

**MOTION:** Councilmember Bacerra  
**SECOND:** Mayor Pro Tem Penaloza  
**VOTE:** **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)  
**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** None (0)

### **ADMINISTRATIVE MATTERS**

**ORDINANCES/SECOND READING** - In the event a Councilmember recorded an "abstention" before consideration of the following ordinance(s) on first reading, such abstention will also be reflected in the minutes for second reading.

11A. ADOPT ORDINANCE NO. NS-XXXX - AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT APPLICATION NO. 2020-04 MODIFYING THE SUB-ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 501, 507, 509, 515, AND 519 EAST FOURTH STREET AND THOSE AT 502, 506, 510, 514, 520 EAST FIFTH STREET FROM SPECIFIC DEVELOPMENT NO. 84, URBAN NEIGHBORHOOD 2 (UN-2) SUB-ZONE, TO THE URBAN CENTER (UC) SUB-ZONE – Planning and Building Agency Placed on first reading at the December 1, 2020 City Council meeting and approved by a vote of 5-0 (Pulido and Sarmiento abstained). Published in the Orange County Reporter on December 4, 2020.

***MOTION:*** Place ordinance on second reading and adopt.

Motion to place ordinance on second reading and adopt Ordinance NS-2999. Moved by Councilmember Bacerra seconded by Councilmember Mendoza.

Councilmember Bacerra motioned to adopt, seconded by Councilmember Mendoza.

**MOTION:** Councilmember Bacerra  
**SECOND:** Councilmember Mendoza  
**VOTE:** **AYES:** Councilmember Bacerra, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza (4)

**NOES:** Councilmember Hernandez, Councilmember Lopez (2)

**ABSTAIN:** Mayor Sarmiento (1)

**ABSENT:** None (0)

11B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2020-02 REZONING THE PROPERTIES LOCATED AT 4310, 4314, 4318, 4322, 4326 AND 4330 WEST FIFTH STREET; 113, 117, 121, 201, 203, 207, 211, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 301 AND 305 NORTH MOUNTAIN VIEW STREET; AND 4311 WEST FIRST STREET ? Planning and Building Agency  
Placed on first reading at the December 1, 2020 City Council meeting and approved by a vote of 6-0 (Pulido abstained). Published in the Orange County Reporter on December 4, 2020.

**MOTION:** Place ordinance on second reading and adopt.

**This consent Item - Ordinance No. NS-3000 was approved.**

#### **BOARDS / COMMISSIONS / COMMITTEES**

13A. APPOINT MARK MCLOUGHLIN NOMINATED BY COUNCILMEMBER BACERRA TO THE PLANNING COMMISSION AS THE WARD 4 REPRESENTATIVE FOR A PARTIAL-TERM EXPIRING DECEMBER 13, 2022 - Clerk of the Council Office

**MOTION:** Nominate Mark McLoughlin for an appointment to the Planning Commission as the Ward 4 representative.

13B. APPOINT JANELLE MCLOUGHLIN NOMINATED BY THE SANTA ANA CHAMBER OF COMMERCE TO THE ENVIRONMENTAL AND TRANSPORTATION ADVISORY COMMISSION (ETAC) AS THE SANTA ANA CHAMBER OF COMMERCE REPRESENTATIVE FOR A TERM EXPIRING JANUARY 5, 2025.

**MOTION:** Nominate Janelle McLoughlin for an appointment to the Environmental and Transportation Advisory Commission as the Santa Ana Chamber of Commerce representative.

#### **MISCELLANEOUS ADMINISTRATION**

19A. CONFIRMATION OF CLOSED SESSION ACTION(S) – City Attorney’s Office

19B. EXCUSED ABSENCES – Clerk of the Council Office

#### **BUDGETARY MATTERS**

## APPROPRIATION ADJUSTMENTS

### 20A. APPROVE APPROPRIATION ADJUSTMENT TO RECOGNIZE \$2,803,706 IN PERMANENT LOCAL HOUSING ALLOCATION PROGRAM FUNDS AND AGREEMENT WITH THE STATE OF CALIFORNIA (NON-GENERAL FUND) - Community Development Agency

1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-101 - Recognizing \$2,803,706 in funds from the State of California, in revenue account and appropriate the same amount to expenditure account to address homelessness in the City of Santa Ana.
2. Authorize the City Manager to execute the standard agreement with the State of California Department of Housing and Community Development to receive Permanent Local Housing Allocation funds in the amount of \$2,803,706, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).

Motion to Adopt 1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-101 - Recognizing \$2,803,706 in funds from the State of California, in revenue account and appropriate the same amount to expenditure account to address homelessness in the City of Santa Ana.

2. Authorize the City Manager to execute the standard agreement with the State of California Department of Housing and Community Development to receive Permanent Local Housing Allocation funds in the amount of \$2,803,706, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-253). moved by Mayor Pro Tem Penalosa seconded by Councilmember Mendoza.

Mayor Pro Tem Penalosa motioned to adopt, seconded by Councilmember Mendoza.

**MOTION:** Mayor Pro Tem Penalosa **SECOND:** Councilmember Mendoza

**VOTE:** **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penalosa, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)



**ABSENT:** None (0)

20B. APPROVE APPROPRIATION ADJUSTMENTS RECOGNIZING HOUSING ASSISTANCE PAYMENTS IN THE AMOUNTS OF \$1,127,700 FOR THE HOUSING CHOICE VOUCHER PROGRAM, \$1,231,722 FOR THE MAINSTREAM VOUCHER PROGRAM, AND \$344,259 FOR FOSTER YOUTH TO INDEPENDENCE VOUCHERS (NON-GENERAL FUND) - Community Development Agency

**MOTION:** Approve appropriation adjustments. (Requires five affirmative votes).

1. APPROPRIATION ADJUSTMENT NO. 2021-097 – Recognizing additional Housing Choice Voucher Program Housing Assistance Payments funds in the amount of \$1,127,700 in revenue account and appropriating same to expenditure account.
2. APPROPRIATION ADJUSTMENT NO. 2021-098 – Recognizing additional Mainstream Voucher Program Housing Assistance Payments funds in the amount of \$1,231,722 in revenue account and appropriating same to expenditure account.
3. APPROPRIATION ADJUSTMENT NO. 2021-096 – Recognizing additional Foster Youth to Independence Voucher Housing Assistance Payments funds in the amount of \$344,259 in revenue account and appropriating same to expenditure account.

20C. APPROVE AN APPROPRIATION ADJUSTMENT AND THIRD AMENDMENT TO AGREEMENT WITH DOWNTOWN INC. IN THE AMOUNT OF \$400,000 TO PROVIDE CLEAN AND SAFE PROGRAM FOR DOWNTOWN SANTA ANA (NON-GENERAL FUND) - Community Development Agency

1. Approve an appropriation adjustment. (Requires five affirmative votes).  
APPROPRIATION ADJUSTMENT NO. 2021-103 - Recognizing \$500,000 from the sale of the YMCA property at 203-205 W. Civic Center Drive in the General Fund Miscellaneous Revenue, Sale of Land account and transferring \$400,000 of this revenue to the Parking Enterprise Downtown Enhancements, Contract Services expenditure account for the agreement with Downtown Inc.
2. Authorize City Manager to execute a Third Amendment to the Downtown Clean and Safe Program Services Agreement with Downtown Inc. for cleaning services of the Downtown Santa Ana area and a reduction of security guard services in the agreement amount of \$400,000 for the period of January 1, 2021 through December 31, 2021, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).



Motion to Adopt as amended 1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-103 - Recognizing \$500,000 from the sale of the YMCA property at 203-205 W. Civic Center Drive in the General Fund Miscellaneous Revenue, Sale of Land account and transferring \$400,000 of this revenue to the Parking Enterprise Downtown Enhancements, Contract Services expenditure account for the agreement with Downtown Inc.

2. Authorize City Manager to execute a Third Amendment to the Downtown Clean and Safe Program Services Agreement with Downtown Inc. for cleaning services of the Downtown Santa Ana area and a reduction of security guard services in the agreement amount of \$400,000 for the period of January 1, 2021 through December 31, 2021, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-254).

3. City Staff to consider using some of the laid off part time employees for the clean and safe crew. moved by Councilmember Hernandez seconded by Councilmember Mendoza.

Councilmember Hernandez motioned to adopt as amended, seconded by Councilmember Mendoza.

<b>MOTION:</b>	Councilmember Hernandez	<b>SECOND:</b>	Councilmember Mendoza
<b>VOTE:</b>	<b>AYES:</b>		Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (6)
	<b>NOES:</b>		Councilmember Bacerra (1)
	<b>ABSTAIN:</b>		None (0)
	<b>ABSENT:</b>		None (0)

**20D. APPROVE AN APPROPRIATION ADJUSTMENT AND APPROVE A FIRST AMENDMENT TO THE AGREEMENT WITH INFOSEND, INC. FOR A TOTAL 2020-21 FISCAL YEAR AMOUNT NOT TO EXCEED \$750,000 (GENERAL FUND AND NON-GENERAL FUND) - Finance and Management Services Agency, Public Works Agency and City Manager's Office**

1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-099 - Recognizing \$310,500 of prior year fund balance in the Water Quality, Prior Year Carry Forward revenue account, and appropriate the same amount in Water Quality, Contract Services Professional, to accommodate the added expenditures for FY 2020-21.

2. Authorize the City Manager to execute a first amendment to the agreement with InfoSend, Inc. ("InfoSend") for printing, processing, and mailing, and electronic bill presentment services to update the scope of services, a provision for a six (6) month extension period beginning January 1, 2021 through June 30, 2021, and increases in the total budgeted amounts of \$200,000 for FY 2020-21, by a net amount of \$550,000, for a new total amount not to exceed \$750,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).

Mayor Pro Tem Penalosa directed staff to provide an option to opt out of paper billing.

Motion to Adopt 1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-099 - Recognizing \$310,500 of prior year fund balance in the Water Quality, Prior Year Carry Forward revenue account, and appropriate the same amount in Water Quality, Contract Services Professional, to accommodate the added expenditures for FY 2020-21.

2. Authorize the City Manager to execute a first amendment to the agreement with InfoSend, Inc. ("InfoSend") for printing, processing, and mailing, and electronic bill presentment services to update the scope of services, a provision for a six (6) month extension period beginning January 1, 2021 through June 30, 2021, and increases in the total budgeted amounts of \$200,000 for FY 2020-21, by a net amount of \$550,000, for a new total amount not to exceed \$750,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-255). moved by Mayor Pro Tem Penalosa seconded by Councilmember Bacerra.

Mayor Pro Tem Penalosa motioned to adopt, seconded by Councilmember Bacerra.

**MOTION:** Mayor Pro Tem Penalosa      **SECOND:** Councilmember Bacerra

**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penalosa, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

20E. APPROVE APPROPRIATION ADJUSTMENT AND AWARD A CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT IN THE AMOUNT OF \$1,967,436 FOR THE BRISTOL STREET PROTECTED BIKE LANES FROM EDINGER AVENUE TO

**FIRST STREET PROJECT WITH AN ESTIMATED TOTAL DELIVERY COST OF \$2,696,777 (PROJECT NO. 18-6908) (NON-GENERAL FUND) - Public Works Agency**

1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-100 – Recognizing \$2,102,777 in Fiscal Year 2017-18 Bicycle Corridor Improvement Program (BCIP) construction funding in the Select Street Construction, Federal Grant-Indirect revenue account and appropriate same in the Fiscal Year 2020-21 Select Street Construction, Improvements Other Than Building expenditure account.
2. Award a construction contract to All American Asphalt, the lowest responsible bidder, in accordance with the base bid in the amount of \$1,967,436, for construction of the Bristol Street Protected Bike Lanes from Edinger Avenue to First Street Project, for the term beginning December 15, 2020, and ending upon project completion, and authorize the City Manager to execute the contract subject to non-substantive changes approved by the City Manager and the City Attorney.
3. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$2,696,777, which includes \$1,967,436 for the construction contract; \$296,000 for contract administration, inspection and testing; and a \$433,341 project contingency for unanticipated or unforeseen work.

Motion to Adopt 1. Approve an appropriation adjustment. (Requires five affirmative votes). APPROPRIATION ADJUSTMENT NO. 2021-100 – Recognizing \$2,102,777 in Fiscal Year 2017-18 Bicycle Corridor Improvement Program (BCIP) construction funding in the Select Street Construction, Federal Grant-Indirect revenue account and appropriate same in the Fiscal Year 2020-21 Select Street Construction, Improvements Other Than Building expenditure account.

2. Award a construction contract to All American Asphalt, the lowest responsible bidder, in accordance with the base bid in the amount of \$1,967,436, for construction of the Bristol Street Protected Bike Lanes from Edinger Avenue to First Street Project, for the term beginning December 15, 2020, and ending upon project completion, and authorize the City Manager to execute the contract subject to non-substantive changes approved by the City Manager and the City Attorney.

3. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$2,696,777, which includes \$1,967,436 for the construction contract; \$296,000 for contract administration, inspection and testing; and a \$433,341 project contingency for unanticipated or unforeseen work. moved by Councilmember Bacerra seconded by Mayor Pro Tem Penaloza.

Councilmember Bacerra motioned to adopt, seconded by Mayor Pro Tem Penaloza.

**MOTION:** Councilmember Bacerra **SECOND:** Mayor Pro Tem Penaloza  
**VOTE:** **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)  
**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** None (0)

Director of Planning and Building Agency Nabil Saba provided a brief presentation.

Mayor Pro Tem Penaloza requested staff to consider the aesthetics of the protected bike line.

#### **SPECIFICATIONS - PURCHASE OF EQUIPMENT AND SERVICES**

22A. AWARD A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$229,075 TO PB LOADER CORPORATION FOR ONE COMPRESSED NATURAL GAS DUMP TRUCK (SPECIFICATION NO. 20-141) (NON-GENERAL FUND) -Finance and Management Services Agency and Public Works Agency

**MOTION:** Authorize a one-time purchase and payment of purchase order to PB Loader Corporation for the purchase of one compressed natural gas dump truck, in the amount of \$219,075, with a contingency of \$10,000, for a total amount not to exceed \$229,075, subject to non-substantive changes approved by the City Manager and City Attorney.

22B. AMEND PURCHASE ORDER WITH FAIRWAY FORD SALES, INC. FOR TWELVE FORD POLICE INTERCEPTOR VEHICLES IN THE AMOUNT OF \$494,207.79 (SPECIFICATION NO. 19-135) (NON-GENERAL FUND) - Finance and Management Services Agency, Police Department and Public Works Agency

**MOTION:** Amend the contract with Fairway Ford Sales, Inc., for the procurement of 12 additional Ford Police Interceptor vehicles for the Santa Ana Police Department for a total amount not to exceed \$494,207.79, subject to non-substantive changes approved by the City Manager and City Attorney.

Motion to Adopt Amend the contract with Fairway Ford Sales, Inc., for the procurement of 12 additional Ford Police Interceptor vehicles for the Santa Ana Police Department for a total amount not to exceed \$494,207.79, subject to non-substantive changes approved by the City Manager and City Attorney. moved by Mayor Pro Tem Penaloza seconded by Councilmember Bacerra.

Mayor Pro Tem Penalosa motioned to adopt, seconded by Councilmember Bacerra.

**MOTION:** Mayor Pro Tem Penalosa  
**SECOND:** Councilmember Bacerra  
**VOTE:**  
**AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penalosa, Mayor Sarmiento (7)  
**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** None (0)

## **AGREEMENTS**

25A. APPROVE SUBSCRIPTION AGREEMENT WITH LEXISNEXIS FOR LEGAL RESEARCH SERVICES IN AN AMOUNT NOT TO EXCEED \$58,098.60 (GENERAL FUND) – City Attorney’s Office

**MOTION:** Authorize the City Manager to execute an agreement with LexisNexis for legal research software services in the amount of \$58,098.60, for a three-year term beginning January 1, 2021 through December 31, 2023, subject to non-substantive changes approved by the City Manager and the City Attorney (Agreement No. A-2020-XXX).

**This consent item - Agreement Number A-2020-256 was approved.**

25B. APPROVE AGREEMENTS WITH DYNAMIC VIDEOS COMMUNICATIONS, VIDEO ENGINEERING SERVICES, AND IPTV INTERNATIONAL INC. DBA TV PRO GEAR FOR CITY COUNCIL MEETING VIDEO PRODUCTION AND OTHER AS-NEEDED VIDEO SERVICES IN A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$600,000 (GENERAL FUND) – City Manager’s Office

**MOTION:** Authorize the City Manager to execute agreements with Dynamic Videos Communications, Video Engineering Services, and IPTV International Inc. DBA TV Pro Gear Inc. to provide as-needed City Council meeting video production, video technical consulting, and other video production services, for the period of January 1, 2021, through December 31, 2022, with an optional one-year extension, for an annual shared aggregate amount not to exceed \$200,000, for a total aggregate amount not to exceed \$600,000 subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).

**This consent item - Agreement Number A-2020-257 was approved.**

25C. AUTHORIZE A PURCHASE AGREEMENT IN THE AMOUNT OF \$35,000 FOR REAL PROPERTY ACQUISITION FOR WARNER AVENUE IMPROVEMENTS PHASE 2 (PROPERTY OWNER: WARNER INDUSTRIAL, LLC) (PROJECT NO. 18-6901) (NON-GENERAL FUND) – Public Works Agency

**MOTION:** Authorize the City Manager to execute a Purchase Agreement for the partial acquisition and goodwill (if any) of the real property located at 1221 E. Warner Avenue (APN 016-120-48), with owner Warner Industrial, LLC, a California Limited Liability Company, in the amount of \$35,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).

**This consent item - Agreement Number A-2020-258 was approved.**

25D. APPROVE AGREEMENTS WITH MONUMENT ROW, OVERLAND PACIFIC & CUTLER, THE ROW COMPANY, AND CLARK LAND RESOURCES, INC., FOR ON-CALL RIGHT-OF-WAY ACQUISITION SERVICES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$550,000 FOR UP TO A FIVE-YEAR TERM (NON-GENERAL FUND) – Public Works Agency

**MOTION:** Authorize the City Manager to execute agreements with Monument ROW, Overland Pacific & Cutler, LLC, The ROW Company, and Clark Land Resources, Inc., to provide on-call right-of-way acquisition services for a total aggregate amount not to exceed \$550,000 for the three-year term beginning December 15, 2020, and expiring on December 14, 2023, with a provision for two, one-year extensions, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).

**This consent item - Agreement Number A-2020-259 was approved.**

25E. APPROVAL OF SECOND AMENDMENT TO AGREEMENT WITH AVOLVE SOFTWARE CORPORATION FOR THE PURCHASE AND IMPLEMENTATION OF PROJECTDOX ELECTRONIC PLAN SUBMITTAL SOFTWARE TOTAL NOT TO EXCEED \$629,215 (GENERAL FUND AND NON-GENERAL FUND) – Planning and Building Agency, Public Works Agency and Information Technology Department

**MOTION:** Authorize the City Manager to execute addendum to agreements with Avolve Software Corporation for the purchase and implementation of ProjectDox, an electronic plan submittal, review, tracking, and archiving system, for the Planning and Building Agency and Public Works Agency for a period of two years ending December 31, 2022, with the option to renew for up to three additional years. This project will increase customer service levels with paperless plan review, while decreasing costs of issuing permits and storing plan documents. The aggregated not to exceed amount is \$629,215, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).

Motion to Adopt Authorize the City Manager to execute addendum to agreements with Avolve Software Corporation for the purchase and implementation of ProjectDox, an electronic plan submittal, review, tracking, and archiving system, for the Planning and Building Agency and Public Works Agency for a period of two years ending December

31, 2022, with the option to renew for up to three additional years. This project will increase customer service levels with paperless plan review, while decreasing costs of issuing permits and storing plan documents. The aggregated not to exceed amount is \$629,215, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-261). moved by Mayor Pro Tem Penaloza seconded by Councilmember Lopez.

Mayor Pro Tem Penaloza motioned to adopt item, seconded by Councilmember Lopez.

**MOTION:** Mayor Pro Tem Penaloza **SECOND:** Councilmember Lopez

**VOTE:** **AYES:**

Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

### **MISCELLANEOUS - LAND USE**

39A. APPROVE RENAMING OF THE KIWANIS BARRIER FREE PLAYGROUND AT CARL THORNTON PARK TO THE “GEORGE UPTON ALL ACCESS PARK” – Parks, Recreation and Community Services Agency

**MOTION:** Approve renaming of the Kiwanis Barrier Free Playground to the “George Upton All Access Park.”

### **RESOLUTIONS - Consent**

55A. APPROVE A \$3,170,547 LOAN AGREEMENT WITH LEGACY SQUARE LP FOR A 55-YEAR TERM FOR THE DEVELOPMENT OF THE LEGACY SQUARE AFFORDABLE HOUSING PROJECT; APPROVE A SUBORDINATION AGREEMENT WITH BANK OF AMERICA, N.A.; APPROVE A FUTURE SUBORDINATION AGREEMENT WITH STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; APPROVE A RESOLUTION APPROVING THE ISSUANCE OF BONDS (NON-GENERAL FUND) - Community Development Agency

1. Authorize the City Manager to execute a loan agreement with Legacy Square LP (c/o National Community Renaissance of California) for \$3,170,547



- in inclusionary housing funds for the development of the Legacy Square affordable housing project located at 609 N. Spurgeon Street, Santa Ana, CA 92701, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).
2. Authorize the City Manager to execute a subordination agreement with Bank of America, N.A., for the City's inclusionary housing loan agreement with Legacy Square LP, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).
  3. Authorize the City Manager to execute a future subordination agreement with the State of California Department of Housing and Community Development, for the City's inclusionary housing loan agreement with Legacy Square LP, after the Legacy Square affordable housing project is complete, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. A-2020-XXX).
  4. Resolution No. 2020-XXX - Adopt a resolution approving the issuance of revenue bonds by the California Statewide Communities Development Authority in an amount not to exceed \$40,000,000 for the purpose of financing the acquisition, construction, improvement, and equipping of the Legacy Square affordable housing project located at 609 N. Spurgeon Street, Santa Ana, CA 92701.

**This consent Item- Resolution No. 2020-100 was approved.**

**This consent Item- Agreement No. 2020-260 and 2020-262 were approved.**

**55B. ADOPT A RESOLUTION AMENDING THE CLASSIFICATION AND COMPENSATION PLAN TO CREATE ONE PART-TIME JOB CLASSIFICATION AND AMEND THE ANNUAL BUDGET TO RECLASSIFY TWO POSITIONS IN THE PUBLIC WORKS AGENCY AND ADD ONE POSITION IN THE POLICE DEPARTMENT - Human Resources Department, Public Works Agency and Police Department**

1. Adopt a resolution. Resolution No. 2020-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO AMEND RESOLUTION NO. 2015-026 TO EFFECT CERTAIN CHANGES TO THE CITY'S BASIC CLASSIFICATION AND COMPENSATION PLAN AND TO AMEND THE

CURRENT ANNUAL BUDGET FOR FISCAL YEAR 2020-2021

2. Amend the City's Fiscal Year 2020-21 Annual Budget to reallocate two vacant, full-time positions in the Public Works Agency to different job classification titles.
3. Amend the City's Fiscal Year 2020-21 Annual Budget to enhance the Police Department budget by one position.

Motion to Adopt 1. Resolution No. 2020-101 Entitled - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO AMEND RESOLUTION NO. 2015-026 TO EFFECT CERTAIN CHANGES TO THE CITY'S BASIC CLASSIFICATION AND COMPENSATION PLAN AND TO AMEND THE CURRENT ANNUAL BUDGET FOR FISCAL YEAR 2020-2021

2. Amend the City's Fiscal Year 2020-21 Annual Budget to reallocate two vacant, full-time positions in the Public Works Agency to different job classification titles.

3. Amend the City's Fiscal Year 2020-21 Annual Budget to enhance the Police Department budget by one position. moved by Mayor Pro Tem Penaloza seconded by Councilmember Phan.

Mayor Pro Tem Penaloza motioned to adopt, seconded by Councilmember Phan.

**MOTION:** Mayor Pro Tem Penaloza **SECOND:** Councilmember Phan

**VOTE:** **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

55C. ADOPT A RESOLUTION ACCEPTING THE DONATION OF TWO POLICE K-9 VESTS FROM SOUTH COAST COLLEGE FOR THE SANTA ANA POLICE DEPARTMENT – Police Department

**MOTION:** Adopt a resolution. Resolution No. 2020-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ACCEPTING THE DONATION OF

POLICE K-9 ARMORED VESTS FOR THE SANTA ANA POLICE DEPARTMENT K-9 UNIT

**This consent Item- Resolution No. 2020-102 was approved.**

55D. ADOPT A RESOLUTION APPROVING THE WATER SUPPLY ASSESSMENT FOR THE 4TH AND CABRILLO MIXED-USE PROJECT LOCATED AT 1801 EAST FOURTH STREET – Public Works Agency

**MOTION:** Adopt a resolution. Resolution No. 2020-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE WATER SUPPLY ASSESSMENT FOR THE PROPOSED 4TH AND CABRILLO PROJECT

**This consent Item- Resolution No. 2020-103 was approved.**

55E. RESOLUTION TO ADOPT AND APPROVE FOR SUBMISSION THE FISCAL YEAR 2019-20 MEASURE M2 YEAR-END EXPENDITURE REPORT TO CONTINUE RECEIVING COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM GRANTS ANNUALLY - Public Works Agency

**MOTION:** Adopt a resolution. Resolution No. 2020-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF SANTA ANA

**This consent Item- Resolution No. 2020-104 was approved.**

## **END OF CONSENT CALENDAR**

## **BUSINESS CALENDAR**

## **REPORTS**

### **65A. APPROVE THE ANNUAL CALENDAR OF REGULAR CITY COUNCIL MEETINGS FOR 2021 - Clerk of the Council Office**

1. Review calendar of regularly scheduled City Council Meetings in 2021.
2. Cancel the regularly scheduled City Council meeting for January 5, 2021 and August 3, 2021.
3. Direct staff to post Notice of Cancellation(s). The City Council hereby waives notice of said meetings as required by the government code.

Motion to Approve 65A. APPROVE THE ANNUAL CALENDAR OF REGULAR CITY COUNCIL MEETINGS FOR 2021 - Clerk of the Council Office moved by Councilmember Bacerra seconded by Mayor Pro Tem Penaloza.

Councilmember Bacerra motioned to approve, seconded by Mayor Pro Tem Penaloza.

**MOTION:** Councilmember Bacerra      **SECOND:** Mayor Pro Tem Penaloza

**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**65B. BIENNIAL REVIEW AND APPOINTMENT OF REGIONAL BOARD REPRESENTATIVES - Clerk of the Council Office**

1. Review the regional board appointment list and appoint members and alternates to serve as representatives to various outside agencies through December 2022 (or specific term where noted); and,
2. Adopt a resolution designating and appointing a representative to the Orange County Fire Authority's Board of Directors, if necessary; and,
3. Direct the Clerk of the Council to update and post the Fair Political Practices Commission (FPPC) Form 806 (Agency Report of Public Official Appointments) on the City's website.

Motion to Approve appointment for Councilmember Phan to the Metropolitan Water District moved by Mayor Pro Tem Penaloza seconded by Councilmember Bacerra.

Mayor Pro Tem Penaloza motioned to approve, seconded by Councilmember Bacerra.

**MOTION:** Mayor Pro Tem Penaloza      **SECOND:** Councilmember Bacerra

**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

Motion to Adopt Resolution No. 2020-105 appointing Councilmember Lopez to Orange County Fire Authority. Moved by Councilmember Hernandez seconded by Mayor Pro Tem Penaloza.

Councilmember Hernandez motioned to approve, seconded by Mayor Pro Tem Penaloza.

**MOTION:** Councilmember Hernandez  
**SECOND:** Mayor Pro Tem Penaloza  
**VOTE:**  
**AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

Motion to Approve appointment for Councilmember Hernandez as the Representative and Councilmember Mendoza as the Alternate to the Orange County Sanitation District. Moved by Councilmember Mendoza seconded by Mayor Pro Tem Penaloza.

Councilmember Mendoza motioned to approve, seconded by Mayor Pro Tem Penaloza.

**MOTION:** Councilmember Mendoza  
**SECOND:** Mayor Pro Tem Penaloza  
**VOTE:**  
**AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

Motion to Approve appointment for Councilmember Mendoza as the Representative to the Orange County Water District. Moved by Councilmember Hernandez seconded by Councilmember Bacerra.

Councilmember Hernandez motioned to approve, seconded by Councilmember Bacerra.

**MOTION:** Councilmember Hernandez      **SECOND:** Councilmember Bacerra  
**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Mayor Pro Tem Penaloza, Mayor Sarmiento (6)  
**NOES:** None (0)  
**ABSTAIN:** Councilmember Phan (1)  
**ABSENT:** None (0)

Motion to Approve appointment for Councilmember Bacerra as the Representative to the Southern California Association of Governments and Orange County Council of Governments Board of Directors. Moved by Mayor Sarmiento seconded by Mayor Pro Tem Penaloza.

Mayor Sarmiento motioned to approve, seconded by Mayor Pro Tem Penaloza.

**MOTION:** Mayor Sarmiento      **SECOND:** Mayor Pro Tem Penaloza  
**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)  
**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** None (0)

Motion to Approve appointment for Mayor Pro Tem Penaloza as the Primary and Councilmember Mendoz as the Alternate to the Transportation Corridor Agency. Moved by Councilmember Bacerra seconded by Councilmember Phan.

Councilmember Bacerra motioned to approve, seconded by Councilmember Phan.

**MOTION:** Councilmember Bacerra      **SECOND:** Councilmember Phan  
**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)  
**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** None (0)

Motion to Approve appointment for Mayor Pro Tem Penaloza as the Representative to the Orange-Santa Ana Transportation System Improvement Authority. Moved by Mayor Sarmiento seconded by Councilmember Bacerra.

Mayor Sarmiento motioned to approve, seconded by Councilmember Bacerra.

**MOTION:** Mayor Sarmiento      **SECOND:** Councilmember Bacerra  
**VOTE:**      **AYES:** Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)  
**NOES:** None (0)  
**ABSTAIN:** None (0)  
**ABSENT:** None (0)

#### 65C. APPROVE THE BUDGET CALENDAR FOR FISCAL YEAR 2021-2022 – Finance and Management Services Agency

**MOTION:** Approve the Budget Calendar for Fiscal Year 2021-2022.

Motion to approve the Budget Calendar for Fiscal Year 2021-2022. moved by Mayor Pro Tem Penaloza seconded by Councilmember Bacerra.

Mayor Pro Tem Penaloza motioned to approve, seconded by Councilmember Bacerra.



**MOTION:** Mayor Pro Tem Penaloza **SECOND:** Councilmember Bacerra

**VOTE:** **AYES:** Councilmember Hernandez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

#### 65D. ACCEPT INFORMATIONAL REPORT RELATING TO POLICE OVERSIGHT AND PROVIDE DIRECTION TO STAFF – City Manager's Office

**MOTION:** Accept informational report and provide direction to staff.

Management Assistant Daniel Soto provided a brief presentation.

Discussion ensued from Council providing direction and comments to city staff.

#### PUBLIC HEARINGS

#### 75A. PUBLIC HEARING - 2021 DOWNTOWN BUSINESS IMPROVEMENT DISTRICT ASSESSMENT DEVELOPMENT - Community Development Agency Legal Notice published in the Orange County Reporter on December 4, 2020.

1. Conduct a public hearing to consider all protests regarding the intention to levy an assessment for 2021 for the Downtown Santa Ana Business Improvement District.
2. Review any written protests filed prior to the close of the public hearing and determine whether they constitute a majority protest.
3. If the City Council determines that no valid majority protest was lodged, adopt a resolution confirming the assessment report, and levying the assessment for 2021. Resolution No. 2020-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA LEVYING AN ASSESSMENT FOR THE DOWNTOWN SANTA ANA BUSINESS

## IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2021

City Clerk made an announcement regarding public comment participation.

Assistant City Manager Steven Mendoza provided a brief presentation.

Mayor Sarmiento opened the Public Hearing at 11:11 p.m.

### PUBLIC COMMENT

Ryan Smolar, with Downtown Inc., spoke in support of item 75A.

Hearing no other comments, Mayor Sarmiento closed the Public Hearing at 11:16 p.m.

Councilmember Hernandez requested for community involvement along with diversifying events.

**Motion to Adopt** 1. Conducted a public hearing to consider all protests regarding the intention to levy an assessment for 2021 for the Downtown Santa Ana Business Improvement District.

2. Reviewed any written protests filed prior to the close of the public hearing and determine whether they constitute a majority protest.

3. If the City Council determines that no valid majority protest was lodged, adopt a resolution confirming the assessment report, and levying the assessment for 2021. Resolution No. 2020-106 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA LEVYING AN ASSESSMENT FOR THE DOWNTOWN SANTA ANA BUSINESS IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2021 moved by Councilmember Bacerra seconded by Councilmember Mendoza.

Councilmember Bacerra motioned to adopt, seconded by Councilmember Mendoza.

**MOTION:** Councilmember Bacerra

**SECOND:** Councilmember Mendoza

**VOTE:**

**AYES:**

Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:**

None (0)

**ABSTAIN:**

None (0)

**ABSENT:**

None (0)

75B. PUBLIC HEARING - REGARDING THE ADOPTION OF A RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION FOR THE SEPTIC TO GRAVITY SEWER CONVERSION PROJECT LOCATED NORTHEAST OF 17TH STREET AND TUSTIN AVENUE (NON-GENERAL FUND) - Public Works Agency Legal Notice published in the Orange County Reporter on December 4, 2020.

**MOTION:** Adopt a resolution. Resolution No. 2020-XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE SEPTIC TO GRAVITY SEWER CONVERSION PROJECT

Clerk of the Council Daisy Gomez provided announcement.

City Manager Kristine made a brief presentation

Mayor Sarmiento opened the public hearing at 11:31 p.m.

Hearing no one wishing to speak Mayor Sarmiento closed the public hearing at 11:32 p.m.

**Motion to** Adopt Resolution No. 2020-107 Entitled - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE SEPTIC TO GRAVITY SEWER CONVERSION PROJECT moved by Councilmember Mendoza seconded by Councilmember Bacerra.

Councilmember Mendoza motioned to adopt, seconded by Councilmember Bacerra.

**MOTION:** Councilmember Mendoza

**SECOND:** Councilmember Bacerra

**VOTE:**

**AYES:**

Councilmember Bacerra, Councilmember Hernandez, Councilmember Lopez, Councilmember Mendoza, Councilmember Phan, Mayor Pro Tem Penaloza, Mayor Sarmiento (7)

**NOES:**

None (0)

**ABSTAIN:**

None (0)

**ABSENT:**

None (0)

## JOINT SESSION OF THE CITY COUNCIL AND THE HOUSING AUTHORITY

80A. RECEIVE AND FILE HOUSING SUCCESSOR ANNUAL REPORT FOR FY 2019-20 – LOW AND MODERATE INCOME HOUSING ASSET FUND

**MOTION:** Receive and file.

**Item 80A was received and filed.**

RECESS THE COUNCIL MEETING AND CONVENE TO THE HOUSING AUTHORITY MEETING AT 11:33 P.M.

RECESS THE HOUSING AUTHORITY AND CONVENE TO THE COUNCIL MEETING AT 11:35 P.M.

COUNCIL AGENDA ITEMS - Pursuant to Santa Ana Charter Section 411, any member of the City Council may place items on the City Council Agenda to be considered by the City Council. Only action available to City Council is to provide direction to City Manager.

**85A. DISCUSS AND CONSIDER DIRECTING THE CITY MANAGER TO DIRECT STAFF TO PREPARE AND BRING BACK AN ORDINANCE THAT WILL REGULATE THE VARIOUS TYPES OF GROUP HOMES OPERATING IN OUR CITY – Mayor Pro Tem Penaloza and Councilmember Mendoza**

Mayor Pro Tem Penaloza requested that staff provide a report or an assessment identifying where the group homes are operating in the city and identify what staff can do to get the group homes to comply.

Councilmember Mendoza concurred with Mayor Pro Tem Penaloza's request.

Councilmember Phan cautioned regulating group homes and provided alternative ways of reporting non-compliant homes.

Councilmember Hernandez suggested that the city provide dialogue with the group homes and work with them to comply.

Mayor Sarmiento concurred with Mayor Pro Tem Penaloza's request and Councilmember Phan's suggestion.

## **COMMENTS**

### **90A. CITY MANAGER'S COMMENTS**

City Manager Kristine Ridge provided comments regarding Community Choice Agency/Energy; status update on Orange County Street Car; and will issue an Executive Order regarding a Street Sweeping moratorium.

### **90B. CITY COUNCILMEMBER COMMENTS**

Councilmember Bacerra thanked Police Department regarding curbing street racing and wished to all safe and Happy Holidays and a Happy New Year.

Councilmember Hernandez thanked all those who provided community input, wished to all safe and Happy Holidays, and spoke regarding the article on the Santa Ana Police Officer accepting bribes and looks forward to hearing an update on further action taken.

Councilmember Lopez thanked staff, wished to all Happy Holidays, and asked that all to be safe by staying home.

Councilmember Mendoza thanked staff, spoke regarding the canvassing of congressional election ballots, and wished to all safe and Happy Holidays.

Councilmember Phan thanked staff, encouraged all to stay home and be safe, noted that bed capacity is at zero, encouraged all to be kind, and wished all a Merry Christmas and a Happy New Year.

Mayor Pro Tem Penalzoza thanked staff, wished all a Merry Christmas and a Happy New Year, and reminded public if cars can be moved for cleaning to do so.

Mayor Sarmiento thanked staff and residents, requested to consider rewarding those businesses that stayed closed due to COVID, congratulated Human Resources Director Steven Pham on his retirement with the city, and wished to all safe and Happy Holidays.

Mayor Sarmiento adjourned the City Council meeting on Wednesday, December 16, 2020 at 12:08 a.m.

ADJOURNMENT - The next regular meeting scheduled on January 5, 2021 to be canceled. The next meeting of the City Council will be held on Tuesday, January 19, 2021 at 5:00 p.m. for the Closed Session Meeting immediately followed by the Regular Open Business Meeting at 5:45 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.